

NOTICE OF OPEN MEETING

Posted: July 1, 2022 cw (Posted outside Council Chambers door and inside the Water Department located at City Hall)

Notice is hereby given that the Neosho City Council will meet in regular session on

July 5th, 2022 at 7:00 p.m., in the Council Chambers at City Hall 203 East Main Street, Neosho, Missouri.

AGENDA REGULAR SESSION NEOSHO CITY COUNCIL

The agenda of this meeting includes:

OPENING PRAYER & PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

1. Approval of Agenda

CONSENT AGENDA

1. June 21, 2022 Open Session Council Minutes
2. Bill No. 2022-48: Region M Grant Agreement
3. Bill No. 2022-49: Gross Receipts Tax Liberty Utilities
4. Bill No. 2022-50: Freeman and Stratford Engineering Services Agreement for Stormwater Improvements

VISITOR'S BUSINESS

1. Tyler Marion - Fidelity Abstract
2. Gary Hendricks - Fidelity Abstract
3. Daniel Raines

BIDS

1. Golf Course Sign
2. Lime Kiln Rocky Slope Dam

INTRODUCTION OF NEW ORDINANCES (1st Readings)

1. Bill No. 2022-51: Dissolution of the Neosho TIF
2. FY22 Budget Amendment

NEW BUSINESS

1. Amendment to Electric Service Agreement with Liberty Utilities
2. Discussion Chapter 125 and 405 of the Neosho City Code

July 5, 2022 City Council Meeting

3. Appeal from Denial of Certificate of Appropriateness by the Historic District Board-Fidelity Abstract
4. Permanent Event Electricity on the Square

REPORT OF CITY OFFICERS

ADJOURN

**MINUTES
NEOSHO CITY COUNCIL
June 21, 2022 – 7:00 p.m.
Neosho Council Chambers
203 E. Main St., Neosho, MO**

OPEN & CALL TO ORDER

Mayor DeWitt called the meeting to order at 7 p.m.

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mark Taylor gave the opening prayer and Mayor DeWitt led the Pledge of Allegiance.

ROLL CALL

COUNCIL PRESENT:

Carl Cobb, Charles Collinsworth, Richard Davidson via Video Conference, Tyler DeWitt, Julie Humphrey, Ashton Robinson, and Angela Thomas were present.

COUNCIL ABSENT:

None were absent.

CITY OFFICERS PRESENT:

Jordan Paul, City Attorney; David Kennedy, City Manager; Cheyenne Wright, City Clerk. Minutes taken by City Clerk.

APPROVAL AND CONSENT OF AGENDA

Councilman Collinsworth made a motion to approve and consent the agenda to include the following items:

June 7, 2022 Open Session Council Minutes

June 14, 2022 Special Session Council Minutes

Bill No. 2022-46: Change Order for Blevins Asphalt Construction

Bill No. 2022-47: MoDOT Cost Share Amendment

Councilman Cobb seconded.

Roll Call Vote:

Carl Cobb – Yes

Charles Collinsworth - Yes

Richard Davidson – Yes

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Angela Thomas – Yes

Motion carried.

VISITOR'S BUSINESS

There was no one present for visitor's business.

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BIDS

Mueller Mega-Lite Drilling Machine

Public Works Director Siler addressed the Council stating that this agenda item is to seek Council's approval for a large tapping machine. There were three bids sent out and two bids were sent back.

Ferguson Waterworks	\$18,582.82
Joplin Supply Co.	\$18,971.61
Core & Main	\$NO BID

This purchase is budgeted out of the D&M budget, however the amount that was budgeted was \$15,000. The bids are above the original budget price in D&M capitol, but all other bids from this account were well below bid prices.

Staff recommends approving the bid from Ferguson Waterworks in the amount of \$18,852.82.

Councilman Collinsworth made a motion to approve the bid from Ferguson Waterworks in the amount of \$18,852.82; Councilwoman Robinson seconded.

Roll Call Vote:

Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Motion carried.

Payment Kiosk

Finance Director Forest addressed the Council stating that the purpose of the agenda item is to seek council's approval of the bid for the payment kiosk that would be used for utility billing, court fines and RV camping. This will give customers another avenue for after hour payments. There were five bids sent out and two were received back.

AdComp Systems Group	Installation Cost	\$35,063.00
	Debit pin pad, coin dispenser	\$7,251.00
	Annual Software	<u>\$6,812.60</u>
	Total Installed Cost	\$49,126.60
City Base	Installation Cost	\$20,000.00
	Annual Software	<u>\$19,600.00</u>
	Total Installed Cost	\$39,600.00

Staff recommends approving the bid from AdComp Systems Group in the amount of \$49,126.60.

Discussion was held amongst the Council and the Finance Director.

Councilman Cobb made a motion to approve the bid from AdComp Systems Group in the amount of

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\$49,126.60; Councilwoman Humphrey seconded.

Roll Call Vote:

Richard Davidson – Yes

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Angela Thomas – Yes

Carl Cobb – Yes

Charles Collinsworth - Yes

Motion carried.

INTRODUCTION OF NEW ORDINANCES (1st Reading)

Bill No. 2022-48: Region M Grant Agreement

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the Region M Solid Waste Management District, a political subdivision of the State of Missouri, for the purpose of accepting grant funding for the operation of the Neosho Regional Recycling Center; and authorizing the Mayor or his designee to execute the same by and on behalf of the City of Neosho.

Bill No. 2022-48 was read in title only by Attorney Paul.

Councilwoman Robinson made a motion to approve and discuss Bill No. 2022-48: Region M Grant Agreement; Councilwoman Humphrey seconded.

Public Works Director Siler addressed the Council stating that staff is seeking council approval of the financial assistance agreement with Region M Solid Waste Management District. The total funds would be \$68,832.95 and this is over \$11,000.00 more than last years awarded amount.

Roll Call Vote:

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Angela Thomas – Yes

Carl Cobb – Yes

Charles Collinsworth - Yes

Richard Davidson – Yes

Motion carried.

Bill No. 2022-49: Gross Receipts Tax Liberty Utilities

AN ORDINANCE reaffirming the gross receipts tax to be imposed upon electric corporations conducting business within the City and matters relating thereto.

Bill No. 2022-49 was read in title only by Attorney Paul.

Councilwoman Thomas made a motion to approve and discuss Bill No. 2022-49: Gross Receipts Tax Liberty Utilities; Councilman Collinsworth seconded.

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Attorney Paul addressed the Council stating that the purpose of this agenda item is to maintain the existing rate of 5% for our gross receipts tax – Empire District Electric Company dba (“Liberty”). On April 6, 2022, the Missouri Public Service Commission approved an increase in the annual revenues of Liberty. The Commission issued an Order approving Tariff Sheets in Compliance with Commission Order on May 17, 2022, with an effective date of June 1, 2022. On June 2, 2022, PSC issued Order for Liberty to provide notices to cities and counties of the electric rate increase as required by Section 393.275.1 RSMo. The tariff increase was 7.38 and any tariff increase in excess of 7 percent trigger certain requirements under Section 393.275.1 RSMo, to either roll back the rate of gross receipts taxes imposed by cities on Liberty or to pass an ordinance maintaining the existing rates despite the increase in the gross receipts to Liberty as a result of the tariff increase.

Roll Call Vote:

Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Motion carried.

Bill No. 2022-50: Freeman and Stratford Engineering Services Agreement for Stormwater Improvements

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into a First Amendment to Contract for Engineering and Technical Services with Allgeier, Martin and Associates, Inc., a Missouri Corporation, for the purpose of providing engineering services related to stormwater improvements in the area of Stratford Place and Freeman Road; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2022-50 was read in title only by Attorney Paul.

Councilwoman Thomas made a motion to approve and discuss Bill No. 2022-50: Freeman and Stratford Engineering Services Agreement for Stormwater Improvements; Councilwoman Robinson seconded.

Development Services Director Leavens addressed the Council stating that this is to seek an extension to the performance time for the engineering agreement on the Stratford Stormwater and Freeman Road Stormwater Improvements project for an additional 365 days.

Roll Call Vote:

Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Motion carried.

NEW BUSINESS

Jennifer Shotwell – Update from AAA (Area Agency of Aging)

Jennifer Shotwell addressed the City Council updating them on the activities and goings on of the Neosho Senior Center.

Irrevocable Consent to Annexation 1882 Ridgewood Road

Development Services Director Leavens addressed the Council stating that the purpose of this agenda item is to seek approval from Council of an irrevocable consent to annexation for 1882 Ridgewood Road for the purpose of connecting to the City's drinking water system.

Councilman Collinsworth made a motion to approve the Irrevocable Consent to Annexation 1882 Ridgewood Road; Councilman Cobb seconded.

Roll Call Vote:

Angela Thomas – Yes

Carl Cobb – Yes

Charles Collinsworth - Yes

Richard Davidson – Yes

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Motion carried.

Crowder College Golf Team

Parks and Recreation Director Dalbom addressed the Council stating that this is to seek input for an agreement with Crowder College Golf Teams and the use of the Neosho Municipal Golf Course.

Discussion was held.

Council requested that before going any further, they would like to have someone from Crowder College that can speak on this agreement and answer questions that they have.

Hooked on Life Golf Tournament

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to seek council's input on a request for a reduced rate for the Hooked-on Life Golf Tournament that was held on June 11, 2022, at the Neosho Municipal Golf Course. Staci Ashworth met with the City Manager stating that the day of their tournament, a City employee did not show up to work at the scheduled 6 a.m. time for preparation for the 8:30 a.m. tournament start. This created some initial chaos organizing the event, but the tournament did start on time. Staci Ashworth has requested a reduced rate for the tournament due to the extra effort she and her family had to put in to make the tournament happen.

Councilwoman Robinson made a motion to approve the reduced rate at the discretion of the City Manager; Councilman Cobb seconded.

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Roll Call Vote:

Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Motion carried.

Cyber Insurance

City Clerk Wright explained Council stating that on May 25, 2022, staff was made aware that MIRMA (the City's insurance pool) will no longer be able to cover Cyber Liability Insurance. Staff has been working with Stronghold Data and Cary Marion to try to find insurance for the City of Neosho by July 1st, when our insurance is no longer in place through MIRMA. Staff has also been working with Stronghold Data to strengthen any holes they may find. We reached out to Lockton, which is the company that MIRMA suggested to the members, however there were items that they wanted done in order to submit that were not done yet on our end. So, Lockton was unwilling to give us a quote due to certain criteria not being in place. The quote received from The Insurance Center is in the amount of \$9,240.00 for \$1,000,000 limit of liability and \$10,552.50 for \$2,000,000 limit of liability. Staff recommends approving the quote from The Insurance Center for the \$2,000,000 limit of liability.

Councilman Cobb made a motion to approve the quote from The Insurance Center in the amount of \$10,552.50 for \$2,000,000 limit of liability; Councilwoman Humphrey seconded.

Roll Call Vote:

Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Motion carried.

Updates Stronghold Data

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to inform Council of items that were found by Stronghold that need done to increase cyber security. There are two different items they suggested. The amount for these two items would be \$3,755.00.

Attorney Paul stated that this agreement just came through right before coming to Council and that he would like that the same language he changed on their April Master Service Agreement would also be changed in this agreement.

Councilman Cobb made a motion to approve the quote from Stronghold Data in the amount of \$3,755.00 with the language included from the April Master Service Agreement; Councilwoman Robinson seconded.

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Roll Call Vote:

Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Motion carried.

APPOINTMENTS AND VACANCIES

Events Board

Letter of Resignation from Randy Hodges
Letter of Interest from Jeff Jones

Councilwoman Robinson made a motion to accept the letter of resignation from Randy Hodges and also accept the appointment letter from Jeff Jones to serve on the Events Board and seconded by Councilwoman Humphrey.

Roll Call Vote:

Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Motion carried.

Neosho Newton County Library Board

Letter of Reappointment for Phyllis Blackwood

Councilman Collinsworth made a motion to accept the letter of reappointment from Phyllis Blackwood; Councilman Cobb seconded.

Roll Call Vote:

Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Motion carried.

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Neosho IOOF Cemetery Board

Letter of Reappointment for Don Arnce

Councilman Cobb made a motion to reappoint Don Arnce to the IOOF Cemetery Board; Councilwoman Thomas seconded.

Roll Call Vote:

Ashton Robinson – Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Motion carried.

Enhanced Enterprise Zone Board

Councilman Collinsworth made a motion to appoint Councilman Davidson to the vacant Council seat on the Enhanced Enterprise Zone Board; seconded by Councilwoman Robinson.

Roll Call Vote:

Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Motion carried.

Senior Citizen Committee

Councilman Collinsworth made a motion to appoint Councilman Cobb to the vacant Council seat on the Senior Citizen Committee; seconded by Councilwoman Cobb.

Roll Call Vote:

Carl Cobb – Yes
Charles Collinsworth - Yes
Richard Davidson – Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson – Yes
Angela Thomas – Yes
Motion carried.

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REPORT OF CITY OFFICERS

City Clerk Wright updated the Council on the new website launch date and also the first meeting of the Council where the new meeting software would be used.

Parks and Recreation Director Dalbom also updated the Council on the Neosho Municipal Pool reopening on Friday.

Councilman Davidson stated to the Council that there have been some issues with a business just off of the square, Fidelity Abstract that are trying to update the outside of their building and running into issues with the Historic Preservation Committee. He would like to see this put on the July 5, 2022 Council Meeting.

Fire Chief Houk updated the Council on the new water rescue boats. The boats were used recently for assistance at Grand Falls in Joplin for water rescue. The employees are very well-trained personnel and proud of them.

ADJOURN

Mayor DeWitt asked if there was any further business to come before Council, with no response, he asked for a motion to adjourn; a motion was made by Councilman Collinsworth; seconded by Councilwoman Robinson.

Roll Call Vote:

Charles Collinsworth - Yes

Richard Davidson – Yes

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Angela Thomas – Yes

Carl Cobb – Yes

Motion carried.

Mayor DeWitt adjourned the regular session meeting at 8:54 p.m.

APPROVED

ATTEST

NEOSHO CITY COUNCIL

Mayor

City Clerk

REQUESTED COUNCIL MEETING DATE: June 21st, 2022**ITEM:** Region M Financial Assistance Agreement for FY2023-007

ORIGINATING DEPARTMENT: Public Works Department**ATTACHMENTS:** Agreement for FY2023-007, and Ordinance

ROUTING ORDER**DEPARTMENT DIRECTOR**

Nate Siler

DATE: 6-13-22**FINANCE DIRECTOR:**

Leslie Forrest

DATE: 6/15/22**CITY MANAGER:**

David Kennedy

DATE: 6-15-2022**CITY CLERK:**

Cheyenne Wright

DATE: 6-15-2022**CITY ATTORNEY:**

Jordan Paul

DATE:

PURPOSE: To obtain Council approval of Financial Assistance Agreement with Region M Solid Waste Management District**BACKGROUND:** Region M is a solid waste management district that covers the counties of Newton, McDonald, Vernon, Barton, and Jasper. This Financial Agreement will provide funding for salaries, and fringe benefits for the Neosho Regional Recycling Center.

Total Funds: \$68,832.95

This is over \$11,000 more than last years awarded amount.

RECOMMENDATION: Staff recommends council approve and authorize Mayor to sign the Financial Assistance Agreement with Region M for the FY2023-007 project in the amount of \$68,832.95

REGION M WASTE MANAGEMENT DISTRICT

Financial Assistance Agreement

*Under authority of RSMo and subject to pertinent legislation, regulations
and policies applicable to RSMo 260.330 and RSMo 260.335*

1. Grant Number:	M2023-007	2. Budget Period:	07/01/22-06/30/23
3. Type of Assistance:	New Award	4. Project Period:	07/01/22-06/30/23
5. Recipient Name:	City of Neosho		
Address:	200 Nelson Ave., Neosho, MO 64850		
7 Project Title:	Neosho Regional Recycling Center		

8. Project Funding:	<u>Amount</u>	<u>District Carryover</u>	<u>DNR Remittable Allocation</u>
Region M Award \$	68,832.95		\$ 68,832.95
Recipient Match \$	-		
Amended Award \$	-		
Amended Match \$	-		
Total Project Cost \$	68,832.95		

15% of the grant award will be held until project completion, any required lien(s) is (are) recorded, and/or UCC-1 filed, all reports have been turned in to the District (including final) and Executive Board approval of the final report and final accounting of project expenditures.

9. Amendment Explanation:

10. The recipient agrees that it will administer this agreement in accordance with:

- a) All applicable federal, state local laws and regulations, including the Missouri Department of Natural Resources General Terms and Conditions, and Special Terms and Conditions;
- b) Applicable Region M Waste Management District grant program guidelines;
- c) Recipient final grant application;
- d) Scope of Work Agreement (attachment A) and Budget Agreement (attachment B).

11. The assistance as described herein is hereby offered and accepted effective upon signature of authorized officials.

Region M Chairperson Signature

Date

Grant Recipient Signature

Date

REGION M WASTE MANAGEMENT DISTRICT

FAA - Scope of Work Agreement

*Under authority of RSMo and subject to pertinent legislation, regulations
and policies applicable to RSMo 260.330 and RSMo 260.335*

Grant Recipient:	City of Neosho	Grant Number:	M2023-007
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Project Description:

Funding/partial funding of personnel and fringe for the operation of the Neosho Regional Recycling Center. Budget also includes a portion of the fees associated with the proper collection of e-waste received from the residents in Neosho and surrounding communities.

Project to include the following tasks:

- 1 Sign financial assistance agreement
- 2 Submit quarterly and final reports to the district
- 3 Operation of recycling center, receiving items from Neosho and surrounding communities
- 4 Monitor program, keeping a log of all inbound and outbound loads
- 5 Maintain social media presence
- 6 Determine diversion of materials by keeping a log of all inbound and outbound loads
- 7 Request reimbursement
- 8
- 9
- 10

Reporting requirements - Performance reports shall be submitted at least quarterly throughout the life of the project. Performance reports shall include the status of the project, diversion rates, types of materials, any problems that may occur, the project's progress, tasks completed, and other information that may be beneficial. Reports are due as follows:

First Quarter / July 1, 2022 through September 30, 2022 - Due October 14, 2022

Second Quarter / October 1, 2022 through December 30, 2022 - Due January 13, 2023

Third Quarter / January 1, 2023 through March 31, 2023 - Due April 14, 2023

(Final) Fourth Quarter / April 1, 2023 through June 30, 2023 - Due July 14, 2023

As the Grant Recipient, by signing this portion of the Financial Assistance Agreement, I do hereby certify that the scope of work will be accomplished within the project time-period as stated. I understand any amendments must be pre-approved by the Region M Executive Board.

Grant Recipient Signature

Date

ATTACHMENT A

FAA - Budget Agreement

[illegible]

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AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the Region M Solid Waste Management District, a political subdivision of the State of Missouri, for the purpose of accepting grant funding for the operation of the Neosho Regional Recycling Center; and authorizing the Mayor or his designee to execute the same by and on behalf of the City of Neosho.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, as follows:

Section 1. That the Agreement by and between the City of Neosho, Missouri, and the Region M Solid Waste Management District, a political subdivision of the State of Missouri, for the purpose of accepting grant funding for the operation of the Neosho Regional Recycling Center, a true and accurate copy of said Agreement being attached hereto and incorporated as Exhibit “A,” be and the same is hereby approved.

Section 2. That the Mayor or his designee is hereby authorized and directed to execute said Agreement by and on behalf of the City of Neosho, Missouri.

PASSED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, this ____ day of _____, 2022, by a vote of _____.

Tyler DeWitt, Mayor

ATTEST:

Cheyenne Wright, City Clerk

APPROVED AS TO FORM:

Jordan L. Paul, City Attorney

REQUESTED COUNCIL MEETING DATE: June 21, 2022 and July 5, 2022

ITEM: Gross Receipts Tax -Empire District Electric Company dba ("Liberty")

ORIGINATING DEPARTMENT: Finance

ATTACHMENTS: Bill No. 2022-49

ROUTING ORDER

FINANCE DIRECTOR:

Leslie Forest 

DATE: 8-15-22

CITY MANAGER:

David Kennedy 

DATE: 6-16-2022

CITY CLERK:

Cheyenne Wright 

DATE: 6/16/2022

PURPOSE:

This agenda item is for the approval of the City to maintain the existing rate of 5%

BACKGROUND:

ON April 6, 2022 the Missouri Public Service Commission ("Commission") approved an increase in the annual revenues of Liberty. The Commission issued an Order Approving Tariff Sheets in Compliance with Commission Order on May 17, 2022 with an effective date of June 1, 2022. On June 2, 2022 PSC issued Order for Liberty to provide notices to cities and counties of the electric rate increase as required by Section 393.275.1 RSMo.

RECOMMENDATION:

Staff recommends the City Council maintain the existing Gross Receipts Tax Rate of 5%.

AN ORDINANCE reaffirming the gross receipts tax to be imposed upon electric corporations conducting business within the City and matters relating thereto.

WHEREAS, the Missouri Public Service Commission (PSC) has granted a tariff increase of 7.38 percent to The Empire District Electric Company d/b/a Liberty ("Liberty"); and

WHEREAS, tariff increases in excess of 7 percent trigger certain requirements under Section 393.275.1, RSMo. to either roll back the rate of gross receipts taxes imposed by cities on Liberty or to pass an ordinance maintaining the existing rates despite the increase in the gross receipts to Liberty as a result of the tariff increase; and

WHEREAS, Section 393.275.1, RSMo. requires cities to roll back the rate of the gross receipts tax within 60 days of the effective date of the tariff increase unless such cities pass an ordinance to maintain the existing rate; and

WHEREAS, the PSC has established the effective date of the tariff increase granted to Liberty as June 2, 2022, and 60 days from that date is August 1, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, as follows:

Section 1. The gross receipts tax imposed upon electric corporations, including but not limited to The Empire District Electric Company d/b/a Liberty, pursuant to Section 640.040 of the Neosho City Code, shall be maintained at its existing rate of five (5) percent, despite the tariff increase awarded by the PSC to Liberty effective on June 2, 2022.

PASSED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, this _____ day of _____, 2022, by a vote of _____.

Tyler DeWitt, Mayor

ATTEST:

Cheyenne Wright, City Clerk

APPROVED AS TO FORM:

Jordan L. Paul, City Attorney

REQUESTED COUNCIL MEETING DATE: Tuesday, June 21, 2022

ITEM: Supplemental agreement to Engineering Services Contract for the Stratford Place Stormwater and Freeman Road Stormwater Improvements to extend the Performance Date 365 days.

ORIGINATING DEPARTMENT: Development Services

ATTACHMENTS: Supplemental Agreement No. 1 to the Engineering Services Contract for the Stratford Place Stormwater and Freeman Road Stormwater Improvements project to extend the Performance Date 365 days.

ROUTING ORDER

DEVELOPMENTAL SERVICES:	Richard Leavens	DATE:
CITY CLERK:	Cheyenne Wright	DATE:
CITY MANAGER:	David Kennedy	DATE:

PURPOSE:

To seek an extension to the performance time for the engineering agreement on the Stratford Place Stormwater and Freeman Road Stormwater Improvements project for an additional 365 days.

BACKGROUND:

Several factors have added to time needed to complete the engineering portion of these stormwater projects including:

- Survey data collection
- Analysis of historical mapping and location of water feed lines to the Fish Hatchery
- Investigation into sewer line depths on Freeman Road
- Complexity of the project is requiring additional design time.

Services for the project are to remain in effect.

RECOMMENDATION:

It is the recommendation of the staff that Supplemental Agreement No. 1 to Engineering Services Contract be approved.

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into a First Amendment to Contract for Engineering and Technical Services with Allgeier, Martin and Associates, Inc., a Missouri Corporation, for the purpose of providing engineering services related to stormwater improvements in the area of Stratford Place and Freeman Road; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, as follows:

Section 1. That the First Amendment to Contract for Engineering and Technical Services by and between the City of Neosho, Missouri, and Allgeier, Martin and Associates, Inc., a Missouri Corporation, for the purpose of providing engineering services related to stormwater improvements in the area of Stratford Place and Freeman Road, a true and accurate copy of said Agreement being attached hereto and incorporated as Exhibit “A,” be and the same is hereby approved.

Section 2. That the Mayor of the City of Neosho, Missouri, is hereby authorized and directed to execute said Agreement by and on behalf of the City of Neosho.

PASSED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, this ____ day of _____, 2022, by a vote of _____.

Tyler DeWitt, Mayor

ATTEST:

Cheyenne Wright, City Clerk

APPROVED AS TO FORM:

Jordan L. Paul, City Attorney

FIRST AMENDMENT TO
CONTRACT FOR ENGINEERING AND TECHNICAL SERVICES

This First Amendment to Contract for Engineering and Technical Services (“First Amendment”) is entered into as of the ____ day of _____, 2022 (the “Effective Date”), between the City of Neosho, Missouri, a Missouri Municipal Corporation (“City”), and Allgeier, Martin and Associates, Inc., a Missouri Corporation (“Engineer”), and with City and Engineer being referred to collectively as “the Parties.”

WITNESSETH:

WHEREAS, City and Engineer entered into a Contract for Engineering and Technical Services on or about June 15, 2021, attached hereto and incorporated by reference as Exhibit A (the “Agreement”); and

WHEREAS, the Parties wish to amend the Agreement concerning the term.

NOW, THEREFORE, in exchange for valuable consideration each received from the other, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. Section 4. Time of Performance is amended to read as follows:

“4. **TIME OF PERFORMANCE**

1. The services of Engineer are to commence upon the signing of the contract, and the final contract plans and documents will be available, ready for advertising for bids, within **2 years** after receipt of notice to proceed.

2. Construction services shall be provided at such time as may be required.”

2. All other terms, conditions, and requirements of the Agreement shall remain in full force and effect, except as modified by this First Amendment.

[Remainder of page intentionally left blank – signature page follows]

IN WITNESS WHEREOF, the Parties have caused these presents to be executed in duplicate as of the day and year first above written.

CITY OF NEOSHO, MISSOURI

ALLGEIER MARTIN AND ASSOCIATES,
INC., A MISSOURI CORPORATION

Tyler DeWitt, Mayor

Michael Atkinson, P.E., Vice President

ATTEST:

ATTEST:

Cheyenne Wright, City Clerk

Kurt Higgins, P.E., Senior Vice President

REQUESTED COUNCIL MEETING DATE: July 5, 2022

ITEM: Golf Course Sign

ORIGINATING DEPARTMENT: Parks and Recreation Department

ATTACHMENT:

1. Sign Bids

PURPOSE:

To seek Council's approval for a digital sign at the Neosho Golf Course.

BACKGROUND:

There were seven bids sent out and two were received back.

Sign Designs \$14,749.00

Lancaster Signs \$19,082.19

There is excess money in the budget for the fountains for the golf course, the money left in this line item would cover this sign placement and electrical work needed to complete the installation.

RECOMMENDATION:

Staff recommends approving the bid from Sign Designs in the amount of \$14,749.00

INSTRUCTIONS TO BIDDERS

The City of Neosho, Missouri will accept sealed bids until the bid opening on **June 17, 2022 at 1 p.m.** at the City of Neosho City Hall Building.

Please address and send sealed bids to the office of the

**City Of Neosho
ATTN: City Clerk
203 E Main St
Neosho, MO 64850**

Sealed bid envelopes are to be marked as: Neosho Golf Course Sign

The bid packet is for:

This bid is for the design and installation of an electronic sign at the entrance of the Neosho Municipal Golf Course. The sign will be as follows.

Design, Manufacture and Install a sign for the Neosho Municipal Golf Course with the following features.

- Double sided, two pole sign with a 5-ft X 5-ft Neosho Municipal Golf Course Logo in color at the top on each side.
- Double Sided 2-ft X 4-ft full color LED Electronic Message Center located below and centered of the Golf Course Logo.
- Installed on two 4-inch square poles
- Software, router, and other miscellaneous items needed to program and operate the electronic message board.

The City of Neosho will provide the electricity to connect to this sign.

The City of Neosho retains the right to refuse or accept any or all bids for this Golf Course Sign.

In section 605.040 of the City of Neosho code, it states that if a contractor performs work for the City a performance bond is required.

☐ Section 605.040 **Certain Insurance Policies, Etc., Required Before Issuance of Licenses for Plumbers, Electricians, Contractors and Subcontractors.**

[CC 1979 §15-19; Ord. No. 87-13, 6-16-1987; Ord. No. 511-2012 §1, 8-7-2012]

A. In addition to payment of the license fees required of plumbers, electricians and general and special contractors and subcontractors in Section **605.010**, before a plumber's, electrician's or general or special subcontractor's license may be issued to any applicant, each applicant shall produce for the inspection and approval of the City Collector the following policies of insurance together with receipts showing the premiums fully paid for the period for which the license is sought:

1. Bodily injury insurance liability coverage of twenty-five thousand dollars (\$25,000.00) per incident.
2. Property damage, twenty-five thousand dollars (\$25,000.00).
3. *Bonding requirements.*
 - a. If a contractor performs work within the City limits of Neosho, a license and permit bond, ten thousand dollars (\$10,000.00).
 - b. Unless otherwise provided, if a contractor performs work for the City of Neosho, a performance bond running to the City, ten thousand dollars (\$10,000.00).

Questions concerning the specifications and bid procedure should be directed to David Kennedy, 203 East Main Street, Neosho, MO 64850

*Missouri Prevailing Wage Rate Applies Yes or X No

A copy of the Missouri Prevailing Wage Rate is attached Yes or X No

***HB 1729 Prevailing Wage attached to this

The City reserves the right to reject any or all bids and to accept the best bid.

Thank you,

Clint Dalbom
Neosho Parks Director

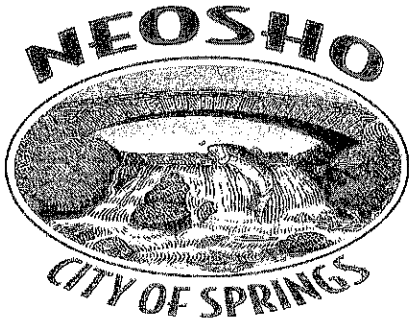
SPECIFICATIONS

This bid is for the design and installation of an electronic sign at the entrance of the Neosho Municipal Golf Course. The sign will be as follows.

Design, Manufacture and Install a sign for the Neosho Municipal Golf Course with the following features.

- Double sided, two pole sign with a 5-ft X 5-ft Neosho Municipal Golf Course Logo in color at the top on each side.
- Double Sided 2-ft X 4-ft full color LED Electronic Message Center located below and center of the Golf Course Logo.
- Installed on two 4-inch square poles.
- Software, router, and other miscellaneous items needed to program and operate the electronic message board.

The City of Neosho will provide the electricity to connect to this sign.



City of Neosho

203 E. Main St.
Neosho, MO 64850
(417) 451-8050 phone
(417) 451-8065 fax
www.neoshomo.org

May 24, 2022

RE: INVITATION TO BID

To Whom It May Concern:

Enclosed you will find an invitation to bid on services or equipment for the City of Neosho. The invitation to bid is self-explanatory.

This bid is for the design and installation of an electronic sign at the entrance of the Neosho Municipal Golf Course. The sign will be as follows.

Design, Manufacture and Install a sign for the Neosho Municipal Golf Course with the following features.

- Double sided, two pole sign with a 5-ft X 5-ft Neosho Municipal Golf Course Logo in color at the top on each side.
- Double Sided 2-ft X 4-ft full color LED Electronic Message Center located below and centered of the Golf Course Logo.
- Installed on two 4-inch square poles
- Software, router, and other miscellaneous items needed to program and operate the electronic message board.

The City of Neosho will provide the electricity to connect to this sign.

Anyone working within the City of Neosho, shall have a business license with the City of Neosho.

If you have any questions, feel free to contact our office.

Thank you,

Clint Dalbom
Neosho Parks Director

BID FORM

Description: (To be completed by bidding party)

Please see enclosed Proposal for sign details.

* Art work on sign can be changed per customer if desired at no additional cost.

Price(s) for unit(s) meeting enclosed specifications:

\$ 14,749.⁰⁰

I certify that this bid on stated piece(s) of equipment meets or exceeds the bid specifications (unless otherwise noted).

COMPANY: SIGN DESIGNS

SIGNED BY: Craig Hardy CRAIG HARDY SALES CONSULTANT

ADDRESS: 1720 W. 7th St, Joplin, MO 64801

EMAIL: Craig@sign-designs.com

PHONE: 417-624-8688 cell 417-389-3665

SIGN Designs

R I S I N G H I G H E R

1720 W. 7th St. · Joplin, MO 64801

Phone: 417-624-8688 · Fax: 417-624-0933 · www.sign-designs.com

PROPOSAL

Proposal #: 21954

Proposal Date: 06/15/22

Customer #: 31745

Page: 1 of 4

SOLD TO:	JOB LOCATION:
CITY OF NEOSHO 203 E MAIN NEOSHO MO 64850	CITY OF NEOSHO GOLF COURSE NEOSHO MO 64850 REQUESTED BY: CLINT DALBOM

SIGN DESIGNS (HEREINAFTER CALLED THE "COMPANY") HEREBY PROPOSES TO FURNISH ALL THE MATERIALS AND PERFORM ALL THE LABOR NECESSARY FOR THE COMPLETION OF:

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #17915 CITY OF NEOSHO GOLF COURSE SIGN: DESIGN, MFG. AND INSTALL (1) 5-FT. X 5-FT. DOUBLE SIDED ACRYLIC PANFACE POLE SIGN WITH LED INTERIOR ILLUMINATION AND TRANSLUCENT DIGITAL PRINTED GRAPHICS. SIGN INCLUDES DOUBLE SIDED 2-FT. X 4-FT. FULL COLOR 9.5MM STAX ELECTRONIC MESSAGE CENTER TO BE INSTALLED BELOW ACRYLIC SIGN. ALL SIGNAGE TO BE INSTALLED ON TWO NEW 4-IN. SQUARE TUBE POLES. **ELECTRIC TO THE SIGN IS THE RESPONSIBILITY OF THE CUSTOMER** -STAX 9.5MM -64 X 128 PIXEL -6 TOTAL AMPS @ 120 VOLTS -60 FPS VIDEO -AUDIO DIMMING WITH MANUEL BACKUP -4G CELLULAR ROUTER + LIFETIME DATA -SM INFINITY SOFTWARE + PROJECT CONTENT -5 YEARS STAX PARTS WARRANTY -SIGN DESIGNS 1 YEAR SERVICE WARRANTY -LIFETIME SOFTWARE UPGRADES -LIFETIME TRAINING & SUPPORT -SM INFINITY SOFTWARE WITH PROJECT CONTENT CREDIT (PROFESSIONAL SOFTWARE THAT ALLOWS YOU TO DOWNLOAD FROM THEIR STOCK LIBRARY OR REQUEST CUSTOM CONTENT PIECE). \$600.00 CREDIT	\$14,749.00	\$14,749.00

SUB TOTAL: \$14,749.00

ESTIMATED SALES TAXES: \$0.00

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED, AND THE ABOVE TO BE IN ACCORDANCE WITH THE DRAWINGS AND OR SPECIFICATIONS SUBMITTED FOR THE ABOVE WORK AND COMPLETED IN A WORKMANLIKE MANNER FOR THE SUM OF:

TOTAL PROPOSAL AMOUNT: \$14,749.00

TERMS: 60.0% DOWN, BALANCE DUE ON COMPLETION

COMPANY INITIALS _____

CUSTOMER INITIALS _____

SIGN Designs

R I S I N G H I G H E R

1720 W. 7th St. • Joplin, MO 64801

Phone: 417-624-8688 • Fax: 417-624-0933 • www.sign-designs.com

PROPOSAL

Proposal #: 21954

Proposal Date: 06/15/22
Customer #: 31745
Page: 2 of 4

THIS PRICE DOES NOT INCLUDE ELECTRICAL HOOKUP, PERMITS, ENGINEERING OR TAX UNLESS SPECIFICALLY STATED.

NOTE: THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS. WORK WILL NOT BEGIN UNTIL DOWN PAYMENT AND WRITTEN ACCEPTANCE IS RECEIVED.

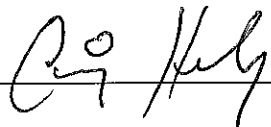
ANY ALTERATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COSTS, WILL BE EXECUTED ONLY UPON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE TO BE PAID BY THE PURCHASER.

TERMS AND CONDITIONS

1. UPON DEFAULT IN THE PAYMENT OF ANY SUMS HEREIN AGREED, SIGN DESIGNS MAY, AT ITS OPTION, DECLARE THE ENTIRE BALANCE PRICE FULLY DUE AND PAYABLE WITHOUT FURTHER NOTICE TO CUSTOMER; AND WHEN DECLARED, CUSTOMER AGREES TO PAY INTEREST ON SAID BALANCE, WHEN DECLARED DUE AT THE RATE OF 1.5% PER MONTH. CUSTOMER FURTHER AGREES TO PAY ALL REASONABLE COSTS OF COLLECTION OF SAID BALANCE INCURRED BY THE COMPANY, INCLUDING ATTORNEY'S FEES.
2. BOTH PARTIES HERETO AGREE THAT THE TITLE TO SAID ELECTRICAL SIGN SHALL REMAIN IN THE COMPANY UNTIL PAID FOR IN FULL, BUT AFTER DELIVERY TO THE CUSTOMER ALL OF DAMAGE FROM FIRE OR OTHER CAUSES AFTER SAID DELIVERY SHALL BE ASSUMED BY SAID CUSTOMER AND WILL NOT EFFECT THE RIGHTS OF THE COMPANY TO ENFORCE OF THE PURCHASE PRICE THEN UNPAID.
3. IT IS FURTHER AGREED BY BOTH PARTIES THAT ALL PROVISIONS IN REGARD TO THE PROJECT ARE CONTAINED IN WRITING HEREIN.
4. ALL TERMS AND CONDITIONS OF THIS CONTRACT SHALL BE BINDING UPON ANY SUCCESSORS, ASSIGNEES OR OTHER LEGAL REPRESENTATIVES OF THE RESPECTIVE PARTIES BUT NO ASSIGNMENT SHALL BE MADE BY THE CUSTOMER WITHOUT THE CONSENT IN WRITING THE COMPANY UNLESS FULL PAYMENT OF THE TOTAL CONSIDERATION HAS BEEN MADE.
5. SIGN DESIGNS SHALL SECURE ALL NECESSARY PERMITS FROM THE BUILDING OWNER, AND/OR OTHERS WHOSE PERMISSION IS REQUIRED FOR THE INSTALLATION OF THE SIGN AND SAID SHALL BE LIABLE FOR ANY OBSTRUCTION OF DELIVERY DUE TO DELAY IN OBTAINING SUCH PERMISSION, AND IF CUSTOMER EXECUTES THIS CONTRACT OF SALE WITHOUT EVER OBTAINING PERMISSION FROM PARTY OR PARTIES NECESSARY FOR THE INSTALLATION OF SAID SIGN, THEN HE PURCHASES SAME AND IS BOUND TO THE TERMS AND CONDITIONS OF THIS CONTRACT AS THOUGH HE HAD OBTAINED SAID PERMISSION AND HE AGREES TO RELIEVE THE COMPANY FROM ANY LIABILITY FOR ITS FAILURE WITHIN 10 DAYS OF DELIVERY TO ERECT OR INSTALL SAID SIGN.
6. CUSTOMER AGREES TO PROVIDE SERVICE FEED WIRE OF SUITABLE CAPACITY AND APPROVED TO LOCATION OF DISPLAY IN ADVANCE OF INSTALLATION, AND MAKE CONNECTION THEREOF TO DISPLAY.
7. WHEN PIER DRILLING IS NECESSARY, THE COMPANY WILL CONTACT DIG TESS TO LOCATE PUBLIC UTILITIES. LOCATION OF PRIVATE UTILITIES IS SOLE RESPONSIBILITY OF THE CUSTOMER. IN THE EVENT ROCK IS ENCOUNTERED IN THE DRILLING PROCESS, TO THE POINT WHERE SPECIAL EQUIPMENT IS REQUIRED, ADDITIONAL MONIES MAY BE REQUESTED IN WRITING BY THE COMPANY.
8. ALL PRODUCTS MANUFACTURED BY THE COMPANY ARE GUARANTEED UNCONDITIONALLY AGAINST DEFECTIVE PARTS, MATERIALS AND WORKMANSHIP, WITH EXCEPTION OF INCANDESCENT AND FLUORESCENT LAMPS AS THEY ARE NEVER GUARANTEED, FOR A PERIOD OF ONE YEAR (1) YEAR. FOR THE NEXT THREE HUNDRED THIRTY (330) DAYS, AND MATERIAL, WITH THE EXCEPTION OF THE LAMPS, WILL BE REPLACED AT NO COST TO THE BUYER FOR THIS MATERIAL. THE COST OF LABOR, HOWEVER, WILL BE CHARGED AT HOURLY RATES.

THIS PROPOSAL DOES NOT BECOME EFFECTIVE UNTIL SIGNED AND DATED BY THE COMPANY; ONCE SIGNED THIS PROPOSAL WILL EXPIRE AFTER 5 DAYS.

THE ABOVE PRICES, SPECIFICATIONS, AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

SALESPERSON: 

DATE: _____

ACCEPTED BY: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

COMPANY INITIALS _____

CUSTOMER INITIALS _____

SIGN *Designs*

R I S I N G H I G H E R

1720 W. 7th St. • Joplin, MO 64801

Phone: 417-624-8688 • Fax: 417-624-0933 • www.sign-designs.com

PROPOSAL

Proposal #: 21954

Proposal Date: 06/15/22

Customer #: 31745

Page: 3 of 4

COMPANY INITIALS _____

CUSTOMER INITIALS _____

SIGN Designs

R I S I N G H I G H E R

1720 W. 7th St. - Joplin, MO 64801

Phone: 417-624-8688 · Fax: 417-624-0933 · www.sign-designs.com

DEPOSIT INVOICE

Invoice #: DP21954

Inv Date: 06/15/22

Customer #: 31745

Page: 4 of 4

SOLD TO:	JOB LOCATION:
CITY OF NEOSHO 203 E MAIN NEOSHO MO 64850	CITY OF NEOSHO GOLF COURSE NEOSHO MO 64850
	REQUESTED BY: CLINT DALBOM

ORDERED BY	PO NUMBER	SALESPERSON	ORDER DATE	PAYMENT TERMS	DUE DATE
CLINT DALBOM		Craig Hardy	06/08/22	60.0% Due Upon Receipt	08/15/22

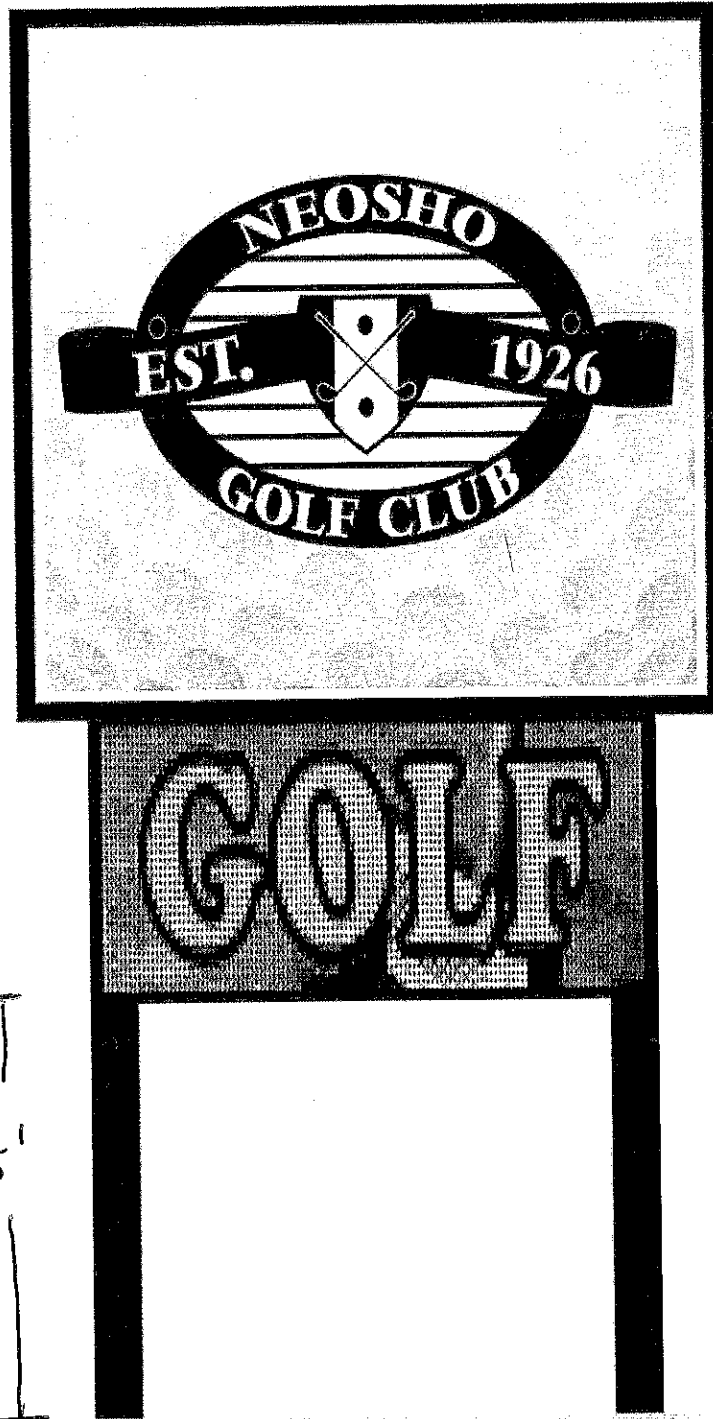
QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	QUOTE #17915 CITY OF NEOSHO GOLF COURSE SIGN: DESIGN, MFG. AND INSTALL (1) 5-FT. X 5-FT. DOUBLE SIDED ACRYLIC PANFACE POLE SIGN WITH LED INTERIOR ILLUMINATION AND TRANSLUCENT DIGITAL PRINTED GRAPHICS. SIGN INCLUDES DOUBLE SIDED 2-FT. X 4-FT. FULL COLOR 9.5MM STAX ELECTRONIC MESSAGE CENTER TO BE INSTALLED BELOW ACRYLIC SIGN. ALL SIGNAGE TO BE INSTALLED ON TWO NEW 4-IN. SQUARE TUBE POLES. **ELECTRIC TO THE SIGN IS THE RESPONSIBILITY OF THE CUSTOMER** -STAX 9.5MM -64 X 128 PIXEL -6 TOTAL AMPS @ 120 VOLTS -60 FPS VIDEO -AUDIO DIMMING WITH MANUEL BACKUP -4G CELLULAR ROUTER + LIFETIME DATA -SM INFINITY SOFTWARE + PROJECT CONTENT -5 YEARS STAX PARTS WARRANTY -SIGN DESIGNS 1 YEAR SERVICE WARRANTY -LIFETIME SOFTWARE UPGRADES -LIFETIME TRAINING & SUPPORT -SM INFINITY SOFTWARE WITH PROJECT CONTENT CREDIT (PROFESSIONAL SOFTWARE THAT ALLOWS YOU TO DOWNLOAD FROM THEIR STOCK LIBRARY OR REQUEST CUSTOM CONTENT PIECE). \$600.00 CREDIT	\$14,749.00	\$14,749.00
		SUB TOTAL	\$14,749.00
	ESTIMATED SALES TAXES		\$0.00
	TOTAL PROPOSAL AMOUNT		\$14,749.00
	*** FINAL INVOICE AMOUNT MAY VARY UPON COMPLETION ***		
PLEASE PAY THIS DEPOSIT AMOUNT:			\$8,849.40

Neosho Golf Club

Neosho, MO

5' x 5' Illuminated Header Cabinet

2' x 4' Full Color LED



Approx. 5'

SIGN Designs
RISING HIGHER

1720 West 7th Street - Joplin, MO 64801
417-624-8688 Phone - 417-624-0933 Fax
www.sign-designs.com

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This drawing is provided for the purpose of illustrating the proposed project. Unauthorized use, copying, scanning or sharing is strictly prohibited and protected by law.

Electrical hookup by others. Electrical requirements: 120V (or as indicated)
All landscaping by others

Customer Approval

Name & Title

Authorization

Date

Proof: 1-13-2022

Rev 1: 1-14-2022

Rev 2: 5-5-2022

Rev 3: 6-10-2022

Rev 4:

Page 33 of 84



Estimate

12614

Clerk

Date

6/14/2022

Name / Address

City of Neosho Parks Dept
203 E. Main Street
Neosho, MO 64850

Ship To

Rep

BP

Terms

Due Date

6/20/2022

Description	Qty	Rate	Total
12614 EMC, ID Cabinet and Installation		0.00	0.00
Requested by: Clint Dalbom 417-451-8050 x530? cdalbom@neoshomo.org			
Location Address: Neosho Golf Course 1850 Clubhouse Rd Neosho, MO 64850			
Scope of Work: Dig holes, set poles, attach Sign Cabinet and EMC			
Electronic Message Center Pixel Pitch (Spacing) 15mm (See below for 10mm & 20mm cost)* Matrix (Pixels HxL) 40x80	1	19,082.19	19,082.19T
Color: Full (281 Trillion) Color-Outdoor Peace of Mind Vandalism, Storm & Lightning Warranty Configuration: 2 Units, Twin Pack Connectivity to Cloud/Internet Via: Software: Cellular Modem with 5 Years of Data (Upgrade to lifetime Data for an additional \$750) Cabinet Size: 2'-0" tall x 4'-0" long (24" x 48") Active Viewing Area: 2'-0" tall x 4'-0" long (24" x 48") Maximum Text Capability: 5 Lines of 4.8" text, 16 Characters Max Per Line.			
Brightness: 10,000 Nits Viewing Angle: 140* Horizontal / 70* Vertical Cabinet Access: Front Quick Release Module Volts: 120			
Included			
Subtotal			
Sales Tax (0.0%)			
Total			

Designs generated for this estimate remain the property of Lancaster Sign Company until the order is complete and paid in full. A 50% deposit is required to begin this order. If left unpaid customer will pay collection costs, court costs, our attorney fees and interest.

Contact 417-782-7200

AP@Lancastersigns.com

Signature



Estimate

12614

Clerk

Date

6/14/2022

Name / Address

City of Neosho Parks Dept
203 E. Main Street
Neosho, MO 64850

Ship To

Rep

BP

Terms

Due Date

6/20/2022

Description	Qty	Rate	Total
Light Sensor to dim display at dusk NA Accurate Temperature from weather.com LIFETIME Impact Cloud+ software subscription 5 Years of Data (upgrade to lifetime Data for an additional \$750) NA LIFETIME Technical Support ID Cabinet - 5' x 5' x 24" internally lit with LED's - Double sided - Acrysteel white pan faces with vinyl Graphics Includes photo cell for dusk to dawn operation Above will be mounted between 2 - 6" square tube poles - painted black (Or whatever color you want) Over all height 11' 4' airspace under - LED to ground (Can go up to 14' overall - same price) Includes installation - But if we hit bedrock and are unable to get through it with our machinery - we will contact the City about the possible extra cost Does not include sign permit - if one is necessary *Add \$1200 for 10mm Capable of up to 7 lines of 3.4" text - 24 characters each Subtract \$600 for 20mm Capable of up to 3 lines of 8" text - 12 characters each (Any can scroll for longer messages) Warranty 5 year parts (included) 5 year parts including 5 year Replacement Labor Warranty add \$700 (Includes a Spare Parts Kit)			

Subtotal \$19,082.19

Sales Tax (0.0%) \$0.00

Total \$19,082.19

Designs generated for this estimate remain the property of Lancaster Sign Company until the order is complete and paid in full. A 50% deposit is required to begin this order. If left unpaid customer will pay collection costs, court costs, our attorney fees and interest.

Contact 417-782-7200

AP@Lancastersigns.com

Signature _____

BID FORM

Description: (To be completed by bidding party)

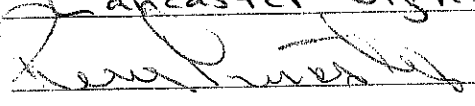
Double Sided - two pole sign with a 5' x 5' x 24" Top Cabinet - Acrysteel white pan faces with applied vinyl 2' x 4' Double Sided LED Message Center - Mounted below. Both above mounted between two 6" Square Poles - See attached for all details.
11 ft Overall height ~~12~~ (4 ft air space under sign) ¹² - or 5 ft - Same Price - 12 ft height

Price(s) for unit(s) meeting enclosed specifications:

19,082.19

I certify that this bid on stated piece(s) of equipment meets or exceeds the bid specifications (unless otherwise noted).

COMPANY: Lancaster Signs

SIGNED BY:  (Reece Lancaster)

ADDRESS: 4403 S. Range Line Road

Joplin, MO 64804

EMAIL: Bonnie@LancasterSigns.com / Reece@LancasterSigns.com

PHONE: 417-782-7200



4403 S. Range Line Rd.
Joplin, MO 64804
TEL: 417.782.7200
FAX: 417.782.3870
www.LancasterSigns.com

Name:

Company:

Phone:

Fax:

E-mail:

Comments:

First TWO proofs provided as part of sign price.
Each additional proof available at \$19.96 each.

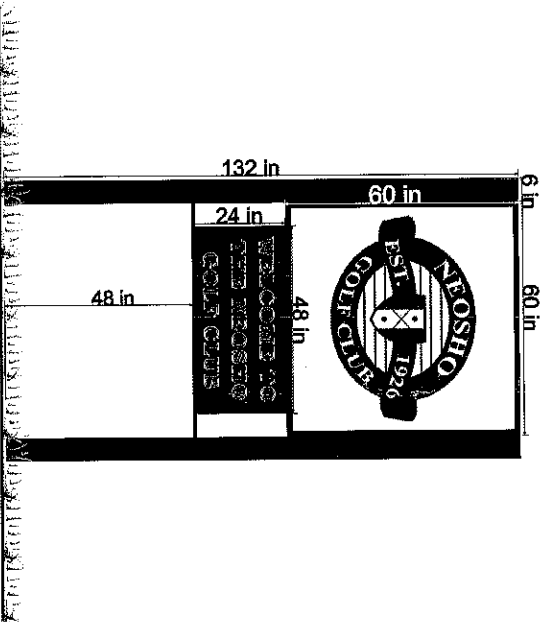
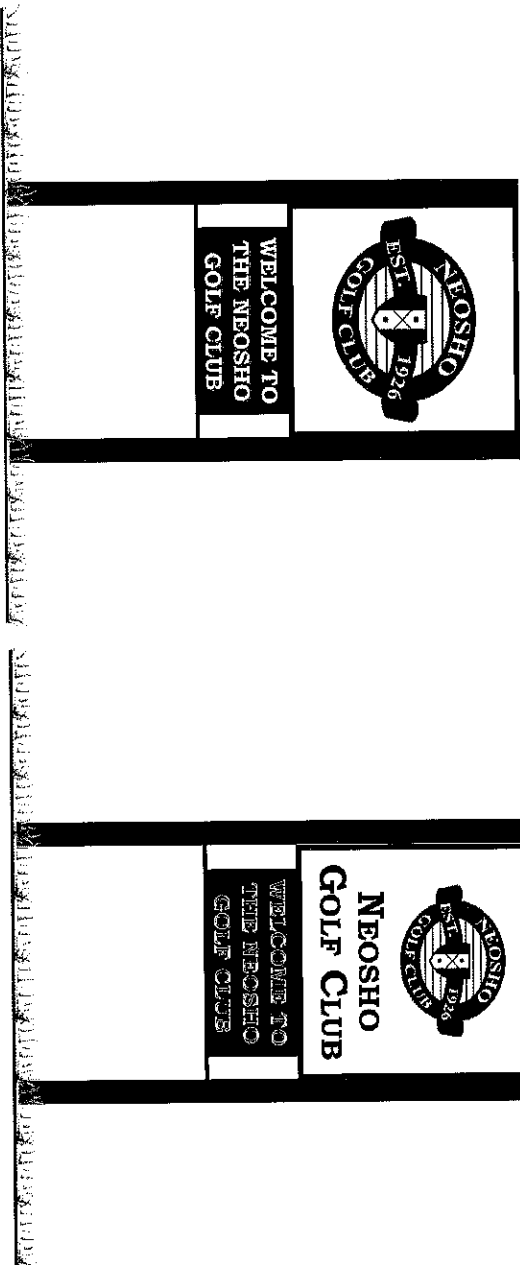
File: 12614 City of Neosho Golf Club.FS

Date: 6/14/2022 Time: 2:59:44 PM

Colors:

Fonts:

This design and drawing submitted for your review and approval is the exclusive property of Lancaster Signs. It may not be reproduced, copied, exhibited or utilized for any purpose, in part or in whole by any individual inside out outside without written consent of Lancaster Signs. © Copyright 2012



This proof drawing is for your review and approval before fabrication begins. Lancaster Signs will not be responsible for problems or discrepancies that could have reasonably been prevented by proper review of this form. Thank you.

Approval:

REQUESTED COUNCIL MEETING DATE: July 5, 2022

ITEM: Lime Kiln Rocky Slope Dam

ORIGINATING DEPARTMENT: City Clerk

ATTACHMENT:

1. Lime Kiln Rocky Ramp Dam Bids

PURPOSE:

To approve construction bids for the rocky slope dam at Lime Kiln Park.

BACKGROUND:

In July or 2019, the City of Neosho along with Fish and Wildlife began a project to construct a rocky slope dam in Lime Kiln Park. Bids were sent out for this project. Granger Dirtworks, Inc. is the low responsive, responsible bidder with a total bid in the amount of \$474,292.00. Attached to this agenda is a breakdown of all bidders who participated with their perspective bids for the project.

RECOMMENDATION:

I recommend approval of the bid for Granger Dirtworks in the amount of \$ 474,292.00.



June 30, 2022

David Kennedy
City Manager
City of Neosho
203 E Main Street
Neosho, MO 64850

RE: Lime Kiln Rocky Ramp Shoal Creek
Federal Aid Project No. F20AC119997-00
Recommendation of Award
Neosho, MO

Dear Mr. Kennedy:

We have reviewed the three (3) bids received June 30, 2022 for the construction of the referenced project, and subsequently prepared a tabulation of those bids. The total on the enclosed Tabulation of Bids shows the amounts of the submitted bids.

It is the recommendation of this office that the City award the contract to Granger Dirtworks, Inc. from Neosho, Missouri. This recommendation is predicated upon the following:

1. Granger Dirtworks, Inc. is the low responsive, responsible bidder with a total bid in the amount of \$474,292.00.
2. A recent conversation with a representative for Granger Dirtworks, Inc. revealed that they are comfortable with the submitted bid and have completed similar type projects, including streambank stabilization.
3. References for projects completed by Granger Dirtworks, Inc. suggests that they are capable of performing the work as stated in the plans and specifications.
4. Granger Dirtworks, Inc. has submitted all required documentation.

If the City concurs with this recommendation, please sign each copy of this letter below as indicated and return one copy to this office. Upon receipt of this acknowledged letter, we will prepare the contract documents for execution and schedule a pre-construction conference.

If you have any questions, please call.

Sincerely,

ALLGEIER, MARTIN and ASSOCIATES, INC.

Michael Atkinson, P.E.
Vice President

Accepted,

CITY OF NEOSHO, MISSOURI

David Kennedy,
City Manager

Enclosures



ALLGEIER, MARTIN and ASSOCIATES, INC.
Consulting Engineers

7231 E. 24th Street | Joplin, MO 64804 | 417.680.7200
Branch Offices: Kansas City, Rolla and Springfield
Tabulation of Bids

Project: Lime Kiln Rocky Ramp Shoal Creek
Location: Neosho, MO

Engineer: Michael Atkinson, P.E.
Engineers Estimate: \$717,397.00

Bid Date: June 16, 2022 10:00 AM
Base Schedule - Section A (Base Bid - Rocky Ramp)

Item no.	Description	Unit	Quantity
1	Clearing and Grubbing (Islands)	SF	4,649
2	Unclassified Excavation (Includes Hauling, Temporary Dewatering, and Disposal of Spoils)	CY	1,950
3	Base Layer, Complete and In Place	CY	200
4	Substrate Layer (Canoe Ramp Area), Complete and In Place	CY	1,170
5	Substrate Layer (Rock Ramp and Fish Path Area), Complete and In Place	CY	1,050
6	Large Boulder, 3 Ft. Habitat/Refuge Rock (Fish Path Area), Complete and In Place	EA	18
7	Contractor Furnished Surveying and Staking	LS	1
8	Temporary Diversion (Top of Dam)	LS	1
9	Dewatering	LS	1
10	Cofferdams	CY	1,440
11	Erosion Control	LS	1
12	Mobilization and Demobilization	LS	1
13	Surface Restoration	LS	1
TOTAL BID AMOUNT SECTION A			

Granger Dirtworks, Inc.
Neosho, MO

Unit Price	Extended Total
\$ 8.00	\$ 37,192.00
\$ 10.00	\$ 19,500.00
\$ 72.00	\$ 14,400.00
\$ 82.00	\$ 95,940.00
\$ 82.00	\$ 86,100.00
\$ 100.00	\$ 1,800.00
\$ 2,500.00	\$ 2,500.00
\$ 3,000.00	\$ 3,000.00
\$ 10,000.00	\$ 10,000.00
\$ 74.00	\$ 106,560.00
\$ 2,500.00	\$ 2,500.00
\$ 8,000.00	\$ 8,000.00
\$ 7,500.00	\$ 7,500.00
\$ 394,992.00	

Dirks Heavy Contractors, LLC
Butler, MO

Unit Price	Extended Total
\$ 5.35	\$ 24,872.15
\$ 43.90	\$ 85,605.00
\$ 187.94	\$ 37,588.00
\$ 109.49	\$ 128,103.30
\$ 115.44	\$ 121,212.00
\$ 240.24	\$ 4,324.32
\$ 7,521.66	\$ 7,521.66
\$ 154,481.38	\$ 154,481.38
\$ 5,903.75	\$ 5,903.75
\$ 104.73	\$ 150,811.20
\$ 13,675.74	\$ 13,675.74
\$ 29,370.59	\$ 29,370.59
\$ 7,984.72	\$ 7,984.72
\$ 771,453.81	

Jeff Asbell Excavating & Trucking, Inc.
Carl Junction, MO

Unit Price	Extended Total
\$ 0.83	\$ 3,858.67
\$ 58.07	\$ 113,236.50
\$ 174.18	\$ 34,836.00
\$ 124.17	\$ 145,278.90
\$ 125.06	\$ 131,313.00
\$ 600.33	\$ 10,805.94
\$ 2,526.78	\$ 2,526.78
\$ 53,304.45	\$ 53,304.45
\$ 7,916.42	\$ 7,916.42
\$ 184.73	\$ 266,011.20
\$ 1,887.77	\$ 1,887.77
\$ 67,185.00	\$ 67,185.00
\$ 10,217.00	\$ 10,217.00
\$ 848,377.63	

Bid Schedule - Section B (Additive Bid - Dredging Channel at Intake)

Item no.	Description	Unit	Quantity
1	Dredging (Unclassified Excavation, Includes Hauling, Temporary Dewatering, and Disposal of Spoils)	CY	970
2	Erosion Control	LS	1
3	Mobilization and Demobilization	LS	1
TOTAL BID AMOUNT SECTION B			

Unit Price	Total
\$ 20.00	\$ 19,400.00
\$ 5,000.00	\$ 5,000.00
\$ 7,500.00	\$ 7,500.00
\$ 31,900.00	

Unit Price	Total
\$ 80.52	\$ 78,104.40
\$ 6,826.92	\$ 6,826.92
\$ 5,639.17	\$ 5,639.17
\$ 90,570.49	

Unit Price	Total
\$ 50.28	\$ 48,771.60
\$ 486.07	\$ 486.07
\$ 2,053.01	\$ 2,053.01
\$ 51,310.68	

Bid Schedule - Section C (Additive Bid - Sediment Removal inside Intake Structure)

Item no.	Description	Unit	Quantity
1	Sediment Removal Inside Intake Structure (See Notes Below)	VF	8
2	Temporary Storage/Dewatering, Hauling and Disposal of Spoils to City Disposal Site (See Notes Below)	CY	145
3	Erosion Control	LS	1
4	Mobilization, Setup and Demobilization	LS	1
TOTAL BID AMOUNT SECTION C			

Unit Price	Total
\$ 4,000.00	\$ 32,000.00
\$ 20.00	\$ 2,900.00
\$ 5,000.00	\$ 5,000.00
\$ 7,500.00	\$ 7,500.00
\$ 47,400.00	

Unit Price	Total
\$ 13,814.06	\$ 110,512.48
\$ 99.71	\$ 14,457.95
\$ 3,343.37	\$ 3,343.37
\$ 32,904.27	\$ 32,904.27
\$ 161,218.07	

Unit Price	Total
\$ 10,589.42	\$ 84,715.36
\$ 43.94	\$ 6,371.30
\$ 3,122.46	\$ 3,122.46
\$ 3,936.50	\$ 3,936.50
\$ 98,145.62	

TOTAL BID AMOUNT (Sections A+B+C)

\$ 474,292.00

\$ 1,023,242.37

\$ 997,833.93

This is to certify that on June 30, 2022 at 10:00 a.m. at the City Hall Council Chambers, Neosho, MO, the bids were publicly opened, checked and the above totals are correct as to the additions.

By

Michael Atkinson, P.E.
Vice President

REQUESTED COUNCIL MEETING DATE: July 5, 2022

ITEM: Bill No. 2022-51: Dissolution of the Neosho TIF

ORIGINATING DEPARTMENT: City Clerk

ATTACHMENT:

1. Bill No. 2022-51 TERMINATING NEOSHO TIF v.1

PURPOSE:

Dissolution of Bill No. 2022-51 Neosho TIF (Tax Increment Financing District)

BACKGROUND:

WHEREAS, the City Council (the “City Council”) of the City of Neosho, Missouri (the “City”) by Ordinance No. 99-22, adopted and approved on July 6, 1999 (the “Blighting Ordinance”), found and declared a certain area within the boundaries of the City depicted and further described in exhibits to that certain document entitled “Redevelopment Plan Neosho Tax Increment Finance District – 1999” (the “Redevelopment Plan”) and further legally described in Exhibit A to the Blighting Ordinance (the “Redevelopment Area”) to be a blighted area as defined by the Real Property Tax Increment Allocation Redevelopment Act, sections 99.800 through 99.866 of the Revised Statutes of Missouri, as amended (the “TIF Act”)

RECOMMENDATION:

Staff recommends Council approving Bill No. 2022-51.

AN ORDINANCE AMENDING ORDINANCE NO. 99-22 AND ORDINANCE NO. 99-23 OF THE CITY OF NEOSHO, MISSOURI AND ANY AMENDMENTS THERETO; TERMINATING THE DESIGNATION OF A REDEVELOPMENT AREA; TERMINATING A CERTAIN REDEVELOPMENT PROJECT ALONG WITH THE APPLICATION OF TAX INCREMENT ALLOCATION FINANCING IN THE AREA OF SAID REDEVELOPMENT PROJECT; DISSOLVING THE SPECIAL ALLOCATION FUND FOR THE REDEVELOPMENT AREA; AND PROVIDING FURTHER AUTHORITY, ALL PURSUANT TO THE REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT ACT.

WHEREAS, the City Council (the “**City Council**”) of the City of Neosho, Missouri (the “**City**”) by Ordinance No. 99-22, adopted and approved on July 6, 1999 (the “**Blighting Ordinance**”), found and declared a certain area within the boundaries of the City depicted and further described in exhibits to that certain document entitled “Redevelopment Plan Neosho Tax Increment Finance District – 1999” (the “**Redevelopment Plan**”) and further legally described in Exhibit A to the Blighting Ordinance (the “**Redevelopment Area**”) to be a blighted area as defined by the Real Property Tax Increment Allocation Redevelopment Act, sections 99.800 through 99.866 of the Revised Statutes of Missouri, as amended (the “**TIF Act**”); and

WHEREAS, the City Council, by Ordinance No. 99-23, adopted and approved on July 6, 1999 (the “**TIF Ordinance**”), approved the Redevelopment Plan; affirmed the designation of the Redevelopment Area set forth in the Blighting Ordinance; approved a phased redevelopment project for the Redevelopment Area as described in the Redevelopment Plan (collectively, the “**Redevelopment Project**”); approved tax increment allocation financing for the Redevelopment Area; and established within the treasury of the City the Special Allocation Fund of the City of Neosho, Missouri (together with the accounts therein, the “**TIF Fund**”) to receive allocations of Payments in Lieu of Taxes and Economic Activity Taxes from activities within the Redevelopment Area, all pursuant to the Redevelopment Plan and the TIF Act; and

WHEREAS, in recognition that the City has completed the Redevelopment Project and the redevelopment of the Redevelopment Area under the TIF Act and that all redevelopment project costs have been paid or arrangements for payment made and no further financial obligations in connection with the Redevelopment Project or the Redevelopment Area remain to be satisfied, the City Council has determined that the termination and dissolution of (i) the Redevelopment Area designation, (ii) the Redevelopment Project, (iii) the application of tax increment allocation financing within the Redevelopment Area, (iv) and the TIF Fund are all in the best interests of the City, and the health, safety, morals and welfare of its residents, and accord with the public purposes specified in the TIF Act and the City Council wishes to take official actions with respect to the foregoing;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, as follows:

Section 1: The Blighting Ordinance and the TIF Ordinance and any subsequent amendments thereto are hereby further amended to terminate the designation of the Redevelopment Area as a “redevelopment area” (as that term is defined and used in the TIF Act).

Section 2: The TIF Ordinance and any subsequent amendments thereto are hereby further amended by adding a subsection (e) to section 4 thereof consisting of the following phrase: “The Redevelopment Plan and the Redevelopment Project set forth therein are hereby determined to be completed and all associated redevelopment project costs have been paid or satisfactory arrangements for payment made.”

Section 3: The TIF Ordinance and any subsequent amendments thereto are hereby further amended to terminate the application of tax increment allocation financing within area selected for the Redevelopment Project and to effect the dissolution of the TIF Fund by repealing sections 5 and 6 thereof in their entirety.

Section 4: The Mayor, the City Clerk, the City Manager, the City Treasurer and all other applicable City staff are hereby authorized and directed to dissolve the TIF Fund and to make such distributions of remaining amounts, if any, representing Payments in Lieu of Taxes or Economic Activity Taxes therefrom as may be required by the TIF Act. After paying any outstanding amounts payable from the TIF Fund, the remaining amounts in the TIF Fund, if any, are hereby deemed to be surplus funds and shall be paid out as provided in section 99.850.1 of the TIF Act. After adoption of this Ordinance, the rates of the taxing districts shall be extended and taxes levied, collected, and distributed in the manner applicable in the absence of the adoption of tax increment financing, all in accordance with the TIF Act. The Mayor, the City Clerk, the City Manager, the City Treasurer and all other applicable City staff are hereby further authorized and directed to give such notices, to take such further actions, and to execute and deliver such further instruments as may be necessary or convenient in the judgment of any of them to effectuate the intent of this Ordinance, the termination of the designation of the Redevelopment Area, the Redevelopment Project and the application of tax increment allocation financing within the area selected for the Redevelopment Project. Any and all prior actions of the Mayor, the City Clerk, the City Manager, the City Treasurer, the City Attorney, and other applicable City staff in furtherance of the intent of this Ordinance are hereby confirmed, ratified and approved.

Section 5: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval.

APPROVED after final passage this _____ day of _____, 2022.

ATTEST:

CITY OF NEOSHO, CITY COUNCIL

City Clerk

Mayor

APPROVED:

City Attorney

REQUESTED COUNCIL MEETING DATE: July 5, 2022**ITEM:** FY22 Budget Amendment

ORIGINATING DEPARTMENT: Finance Department**ATTACHMENT:****1. Bill 2022-51 FY22 Budget Amendment**

PURPOSE:

The purpose of this item is to amend City revenue and expenditure budgets to reflect changes since the adoption of the original FY22 budget.

BACKGROUND:

Staff is requesting to amend the budget for Ordinances approved by Council since adoption of the original budget.

Fund	Increase (Decrease)
100 General Fund	\$31,046.18
195 Auditorium Fund	\$26,500.00
310 Hotel/Motel	(\$4,600.00)
360 TIF	(\$610,779.05)
500 Water/Wastewater Fund	\$14,554.32
653 FEMA DR 4250 Flooding	\$16,812.15
800 Street Department	\$1,800.00

Total City Increase (Decrease) in Fund Balance (\$524,666.40)

RECOMMENDATION:

Staff recommends adoption of the budget adjustments as set forth in the attached Bill.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING THAT THE REVENUES AND EXPENDITURES BUDGET BE AMENDED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, AS FOLLOWS:

Section 1: That Ordinance No. 231-2021 is amended to read as follows:

The City Manager is hereby authorized to expend the funds as set forth in said budget. Receipts and disbursements shall be within the limits herein described and adopted by reference and shall be made in accordance with applicable laws and ordinances. These limits shall be referenced by fund as outlined

			Fund Bal.			
<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
100	Celebrate Booth Fees	100-113-4470-755	1,000.00		1,000.00	
100	Celebrate Neosho Shirt Sales	100-113-4480-755	326.00		326.00	
100	Celebrate Neosho Sponsors	100-113-4990-755	910.00		910.00	
100	Celebrate Neosho Expenses	100-113-6520-755		4,064.82	(4,064.82)	
100	Building Permits/Inspec.	100-115-4120-115	18,000.00		18,000.00	
100	Recycle Center Sales	100-118-4420-118	18,000.00		18,000.00	
100	Domestic Violence Expense	100-125-5263-125		2,000.00	(2,000.00)	
100	City Hall Facility Maintenance	100-999-5320-112		1,125.00	(1,125.00)	
GENERAL FUND TOTALS			\$38,236.00	\$7,189.82	\$31,046.18	\$0.00

			Fund Bal.			
<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
195	Auditorium Rental Fees	195-195-4500-195	25,000.00		25,000.00	
195	Auditorium Sound Fees	195-195-4520-195	1,500.00		1,500.00	
AUDITORIUM FUND TOTALS			\$26,500.00	\$0.00	\$26,500.00	\$0.00

			Fund Bal.			
<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
310	Motel Promotions	310-310-5240-330		4,600.00	(4,600.00)	
HOTEL/MOTEL FUND TOTALS			\$0.00	\$4,600.00	(\$4,600.00)	\$0.00

			Fund Bal.			
<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
360	TIF Expenses	360-360-5590-360		610,779.05	(\$610,779.05)	
TIF FUND TOTALS			\$0.00	\$610,779.05	(\$610,779.05)	\$0.00

Fund Bal.

<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
500	Interest Expense 2012A	500-212-5920-212		1,332.68	(1,332.68)	
500	Insurance Proceeds	500-530-4760-530	2,477.00		2,477.00	
500	Wastewater Sale of Property.	500-610-4820-610	15,900.00		15,900.00	
500	Water Plant Facility Maint.	500-610-5320-520		1,500.00	(1,500.00)	
500	Water Plant General Supplies	500-610-5590-520		990.00	(990.00)	
500	Alliance Contract.	500-610-5800-520		(201,000.00)	201,000.00	
500	Alliance Contract.	500-610-5800-520		201,000.00	(201,000.00)	
WATER/WASTEWATER FUND TOTALS			\$18,377.00	\$3,822.68	\$14,554.32	\$0.00

<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
653	FEMA Flooding Revenue	653-653-4660-653	16,812.15		16,812.15	
STREET DEPARTMENT FUND TOTALS			\$16,812.15	\$0.00	\$16,812.15	\$0.00

<u>Fund</u>	<u>Account</u>	<u>Account Number</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Increase (Decrease)</u>	<u>Transfers In (Out)</u>
800	Street Department Misc.	800-800-4800-800	1,800.00		1,800.00	
STREET DEPARTMENT FUND TOTALS			\$1,800.00	\$500.00	\$1,800.00	\$0.00

Section 2: All other ordinances and parts of ordinances in conflict herewith are repealed.

Section 3: This ordinance shall be in full force and effect upon final passage and approval.

APPROVED after final passage this **July 19, 2022**.

ATTEST:

CITY OF NEOSHO, CITY COUNCIL

Clerk

Mayor

APPROVED:

City Attorney

REQUESTED COUNCIL MEETING DATE: July 5, 2022**ITEM:** Amendment to Electric Service Agreement with Liberty Utilities

ORIGINATING DEPARTMENT: Public Works Department**ATTACHMENT:**

1. Work Order # 965332
 2. Work Order # 965340
 3. Work Order # 965345
 4. Work Order # 965347
 5. Work Order # 965352
-

PURPOSE:

To seek Council approval of the amendment to the contract with Liberty Utilities.

BACKGROUND:

This amendment is for the replacement of five non-working HPS streetlights and being replaced with new LED streetlights. All five amendments will come with an increase in usage charges. The total decrease will be \$9.10.

1. 1240 Circle Dr.	WO #965332	monthly decrease	-\$1.82
2. 1216 Circle Dr.	WO #965340	monthly decrease	-\$1.82
3. 1813 Rachel St.	WO #965345	monthly decrease	-\$1.82
4. Jefferson St & Sherman.	WO #965347	monthly decrease	-\$1.82
5. 703 Laurel Cr.	WO #965352	monthly decrease	-\$1.82

RECOMMENDATION:

The City Staff recommends council approve the contract and authorize the mayor to sign noted amendments.

The Empire District Electric Company

Work Order # **965332**

Request for Change in Street Lighting Service

Missouri

Pursuant to a Resolution adopted by the governing body of the **City of Neosho** hereinafter called CITY, on the **22nd** day of **June, 2022** **The Empire District Electric Company**, hereinafter called COMPANY, is hereby requested to make the following changes in street lighting service pursuant to the provisions of the Municipal Electric Service Agreement, hereinafter called AGREEMENT, executed by the CITY and the COMPANY.

STREET LIGHT REQUEST	ADDRESS - LOCATION STREET LIGHTS and EXCESS FACILITIES	SIZE and TYPE STREET LIGHTS	Q T Y	ANNUAL ENERGY CHARGE		FACILITY USAGE CHARGE	
				Installed	Removed	Installed	Removed
Install	1240 Circle Dr	7,500L-9,500L 150W eq LED 1 Cobrahead	1	\$74.03		\$ 346.79	
Remove	1240 Circle Dr	16,000L 150W HPS Open Bottom	1		\$107.46		\$ 218.47
Subtotals - Annual Energy Charge and Facility Usage Charge for this Request				\$74.03	\$107.46	\$ 346.79	\$ 218.47
A Annual Energy Charge for this Request (Install minus Remove)				-\$33.43			
B Total Facility Usage Charge for this Street Light Request (Install minus Remove)						\$ 128.32	

The CITY agrees that the AGREEMENT shall be amended as follows:

C	Total Facility Usage Charge for this Request (Total Line B)	\$128.32
D	Annual Facility Usage Charge to City for this Request (Total Line C X 9%)	\$11.55
E	Annual Energy Charge for this Request (Total Line A)	-\$33.43
F	Annual Facility Usage and Energy Charge for this Request (Total Line D plus/minus Line E)	-\$21.88
G	Monthly Increase/Decrease to be Paid by City for this Request (Total Line F divided by 12 months)	-\$1.82

This request for change shall be effective from and after its execution and is supplemental to, forms a part of and is to be construed with and subject to the terms, conditions and provisions of the Agreement herein referred to which, in all other particulars except as hereinafter amended, is ratified and confirmed. This contract and any ancillary agreements may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall be deemed to be one agreement, and signatures by fax or other electronic transmission are acceptable and shall constitute an original signature for all purposes.

Executed at _____ this ____ day of _____
 (SEAL)
 ATTEST: _____
 _____ By _____
 Clerk of Neosho Mayor or Board Chairman

ACCEPTANCE

The COMPANY hereby approves and consents to the aforesaid request for change in street lighting service and all terms and provisions included therein, and agrees that the Municipal Electric Service Agreement shall be amended accordingly. The number of street lights in service in said CITY will, after completion of the above changes and until our approval of further changes, be as follows:

Mercury Vapor Lights		High Pressure Sodium Lights		Metal Halide Lights		Light Emitting Diode Lights	
7,000L - 175W	495	6,000L - 70W	11	12,000L - 175W	11	7,500 - 9,500L - 150W	76
11,000L - 250W	13	16,000L - 150W	227	20,500L - 250W	58	13,000 - 16,000L - 250W	0
20,000L - 400W	9	27,500L - 250W	13	36,000L - 400W	1	19,000 - 22,000L - 250W	0
53,000L - 1,000W	4	50,000L - 400W	1	110,000L - 1,000W	0		
		130,000L - 1,000W	1				

WO# 965332	DATE COMPLETED _____	
CURRENT INVESTMENT CHARGE	ANNUAL FACILITY USAGE CHARGE	ACCUMULATIVE INVESTMENT CHARGE
\$128.32	\$55,176.88	\$613,076.39

The Empire District Electric Company

Company Representative Completing Contract: Roger Kidd

Executed at Joplin, Mo this _____ day of _____

By _____
 (VICE PRESIDENT)

The Empire District Electric Company

Work Order # **965340**

Request for Change in Street Lighting Service

Missouri

Pursuant to a Resolution adopted by the governing body of the **City of Neosho** hereinafter called CITY, on the **22nd** day of **June, 2022** **The Empire District Electric Company**, hereinafter called COMPANY, is hereby requested to make the following changes in street lighting service pursuant to the provisions of the Municipal Electric Service Agreement, hereinafter called AGREEMENT, executed by the CITY and the COMPANY.

STREET LIGHT REQUEST	ADDRESS - LOCATION STREET LIGHTS and EXCESS FACILITIES	SIZE and TYPE STREET LIGHTS	Q T Y	ANNUAL ENERGY CHARGE		FACILITY USAGE CHARGE	
				Installed	Removed	Installed	Removed
Install	1216 Circle Dr	7,500L-9,500L 150W eq LED 1 Cobrahead	1	\$74.03		\$ 346.79	
Remove	1216 Circle Dr	16,000L 150W HPS Open Bottom	1		\$107.46		\$ 218.47
Subtotals - Annual Energy Charge and Facility Usage Charge for this Request				\$74.03	\$107.46	\$ 346.79	\$ 218.47
A Annual Energy Charge for this Request (Install minus Remove)				-\$33.43			
B Total Facility Usage Charge for this Street Light Request (Install minus Remove)						\$ 128.32	

The CITY agrees that the AGREEMENT shall be amended as follows:

C	Total Facility Usage Charge for this Request (Total Line B)	\$128.32
D	Annual Facility Usage Charge to City for this Request (Total Line C X 9%)	\$11.55
E	Annual Energy Charge for this Request (Total Line A)	-\$33.43
F	Annual Facility Usage and Energy Charge for this Request (Total Line D plus/minus Line E)	-\$21.88
G	Monthly Increase/Decrease to be Paid by City for this Request (Total Line F divided by 12 months)	-\$1.82

This request for change shall be effective from and after its execution and is supplemental to, forms a part of and is to be construed with and subject to the terms, conditions and provisions of the Agreement herein referred to which, in all other particulars except as hereinafter amended, is ratified and confirmed. This contract and any ancillary agreements may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall be deemed to be one agreement, and signatures by fax or other electronic transmission are acceptable and shall constitute an original signature for all purposes.

Executed at _____ this ____ day of _____
 (SEAL)
 ATTEST: _____
 _____ By _____
 Clerk of Neosho Mayor or Board Chairman

ACCEPTANCE

The COMPANY hereby approves and consents to the aforesaid request for change in street lighting service and all terms and provisions included therein, and agrees that the Municipal Electric Service Agreement shall be amended accordingly. The number of street lights in service in said CITY will, after completion of the above changes and until our approval of further changes, be as follows:

Mercury Vapor Lights		High Pressure Sodium Lights		Metal Halide Lights		Light Emitting Diode Lights	
7,000L - 175W	495	6,000L - 70W	11	12,000L - 175W	11	7,500 - 9,500L - 150W	77
11,000L - 250W	13	16,000L - 150W	226	20,500L - 250W	58	13,000 - 16,000L - 250W	0
20,000L - 400W	9	27,500L - 250W	13	36,000L - 400W	1	19,000 - 22,000L - 250W	0
53,000L - 1,000W	4	50,000L - 400W	1	110,000L - 1,000W	0		
		130,000L - 1,000W	1				

WO# 965340	DATE COMPLETED _____
CURRENT INVESTMENT CHARGE	ANNUAL FACILITY USAGE CHARGE
\$128.32	\$55,188.42
	ACCUMULATIVE INVESTMENT CHARGE
	\$613,204.71

The Empire District Electric Company

Company Representative Completing Contract: Roger Kidd

Executed at Joplin, Mo this _____ day of _____

By _____
 (VICE PRESIDENT)

The Empire District Electric Company

Work Order # **965345**

Request for Change in Street Lighting Service

Missouri

Pursuant to a Resolution adopted by the governing body of the **City of Neosho** hereinafter called CITY, on the **22nd** day of **June, 2022** **The Empire District Electric Company**, hereinafter called COMPANY, is hereby requested to make the following changes in street lighting service pursuant to the provisions of the Municipal Electric Service Agreement, hereinafter called AGREEMENT, executed by the CITY and the COMPANY.

STREET LIGHT REQUEST	ADDRESS - LOCATION STREET LIGHTS and EXCESS FACILITIES	SIZE and TYPE STREET LIGHTS	Q T Y	ANNUAL ENERGY CHARGE		FACILITY USAGE CHARGE	
				Installed	Removed	Installed	Removed
Install	1813 Rachel St	7,500L-9,500L 150W eq LED 1 Cobrahead	1	\$74.03		\$ 346.79	
Remove	1813 Rachel St	16,000L 150W HPS Open Bottom	1		\$107.46		\$ 218.47
Subtotals - Annual Energy Charge and Facility Usage Charge for this Request				\$74.03	\$107.46	\$ 346.79	\$ 218.47
A Annual Energy Charge for this Request (Install minus Remove)				-\$33.43			
B Total Facility Usage Charge for this Street Light Request (Install minus Remove)						\$ 128.32	

The CITY agrees that the AGREEMENT shall be amended as follows:

C	Total Facility Usage Charge for this Request (Total Line B)	\$128.32
D	Annual Facility Usage Charge to City for this Request (Total Line C X 9%)	\$11.55
E	Annual Energy Charge for this Request (Total Line A)	-\$33.43
F	Annual Facility Usage and Energy Charge for this Request (Total Line D plus/minus Line E)	-\$21.88
G	Monthly Increase/Decrease to be Paid by City for this Request (Total Line F divided by 12 months)	-\$1.82

This request for change shall be effective from and after its execution and is supplemental to, forms a part of and is to be construed with and subject to the terms, conditions and provisions of the Agreement herein referred to which, in all other particulars except as hereinafter amended, is ratified and confirmed. This contract and any ancillary agreements may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall be deemed to be one agreement, and signatures by fax or other electronic transmission are acceptable and shall constitute an original signature for all purposes.

Executed at _____ this _____ day of _____
(SEAL)
ATTEST: _____
Clerk of Neosho

By _____
Mayor or Board Chairman

ACCEPTANCE

The COMPANY hereby approves and consents to the aforesaid request for change in street lighting service and all terms and provisions included therein, and agrees that the Municipal Electric Service Agreement shall be amended accordingly. The number of street lights in service in said CITY will, after completion of the above changes and until our approval of further changes, be as follows:

Mercury Vapor Lights		High Pressure Sodium Lights		Metal Halide Lights		Light Emitting Diode Lights	
7,000L - 175W	495	6,000L - 70W	11	12,000L - 175W	11	7,500 - 9,500L - 150W	78
11,000L - 250W	13	16,000L - 150W	225	20,500L - 250W	58	13,000 - 16,000L - 250W	0
20,000L - 400W	9	27,500L - 250W	13	36,000L - 400W	1	19,000 - 22,000L - 250W	0
53,000L - 1,000W	4	50,000L - 400W	1	110,000L - 1,000W	0		
		130,000L - 1,000W	1				

WO# 965345	DATE COMPLETED _____	
CURRENT INVESTMENT CHARGE	ANNUAL FACILITY USAGE CHARGE	ACCUMULATIVE INVESTMENT CHARGE
\$128.32	\$55,199.97	\$613,333.03

The Empire District Electric Company

Company Representative Completing Contract: Roger Kidd

Executed at Joplin, Mo this _____ day of _____

By _____
(VICE PRESIDENT)

The Empire District Electric Company

Work Order # **965347**

Request for Change in Street Lighting Service

Missouri

Pursuant to a Resolution adopted by the governing body of the **City of Neosho** hereinafter called CITY, on the **22nd** day of **June, 2022** **The Empire District Electric Company**, hereinafter called COMPANY, is hereby requested to make the following changes in street lighting service pursuant to the provisions of the Municipal Electric Service Agreement, hereinafter called AGREEMENT, executed by the CITY and the COMPANY.

STREET LIGHT REQUEST	ADDRESS - LOCATION STREET LIGHTS and EXCESS FACILITIES	SIZE and TYPE STREET LIGHTS	Q T Y	ANNUAL ENERGY CHARGE		FACILITY USAGE CHARGE	
				Installed	Removed	Installed	Removed
Install	Jefferson St and Sherman St	7,500L-9,500L 150W eq LED 1 Cobrahead	1	\$74.03		\$ 346.97	
Remove	Jefferson St and Sherman St	16,000L 150W HPS Open Bottom	1		\$107.46		\$ 218.47
Subtotals - Annual Energy Charge and Facility Usage Charge for this Request				\$74.03	\$107.46	\$ 346.97	\$ 218.47
A Annual Energy Charge for this Request (Install minus Remove)				-\$33.43			
B Total Facility Usage Charge for this Street Light Request (Install minus Remove)						\$ 128.50	

The CITY agrees that the AGREEMENT shall be amended as follows:

C	Total Facility Usage Charge for this Request (Total Line B)	\$128.50
D	Annual Facility Usage Charge to City for this Request (Total Line C X 9%)	\$11.57
E	Annual Energy Charge for this Request (Total Line A)	-\$33.43
F	Annual Facility Usage and Energy Charge for this Request (Total Line D plus/minus Line E)	-\$21.87
G	Monthly Increase/Decrease to be Paid by City for this Request (Total Line F divided by 12 months)	-\$1.82

This request for change shall be effective from and after its execution and is supplemental to, forms a part of and is to be construed with and subject to the terms, conditions and provisions of the Agreement herein referred to which, in all other particulars except as hereinafter amended, is ratified and confirmed. This contract and any ancillary agreements may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall be deemed to be one agreement, and signatures by fax or other electronic transmission are acceptable and shall constitute an original signature for all purposes.

Executed at _____ this ____ day of _____
 (SEAL)
 ATTEST: _____ By _____
 Clerk of Neosho Mayor or Board Chairman

ACCEPTANCE

The COMPANY hereby approves and consents to the aforesaid request for change in street lighting service and all terms and provisions included therein, and agrees that the Municipal Electric Service Agreement shall be amended accordingly. The number of street lights in service in said CITY will, after completion of the above changes and until our approval of further changes, be as follows:

Mercury Vapor Lights		High Pressure Sodium Lights		Metal Halide Lights		Light Emitting Diode Lights	
7,000L - 175W	495	6,000L - 70W	11	12,000L - 175W	11	7,500 - 9,500L - 150W	79
11,000L - 250W	13	16,000L - 150W	224	20,500L - 250W	58	13,000 - 16,000L - 250W	0
20,000L - 400W	9	27,500L - 250W	13	36,000L - 400W	1	19,000 - 22,000L - 250W	0
53,000L - 1,000W	4	50,000L - 400W	1	110,000L - 1,000W	0		
		130,000L - 1,000W	1				

WO# 965347	DATE COMPLETED _____	
CURRENT INVESTMENT CHARGE	ANNUAL FACILITY USAGE CHARGE	ACCUMULATIVE INVESTMENT CHARGE
\$128.50	\$55,211.54	\$613,461.53

The Empire District Electric Company

Company Representative Completing Contract: Roger Kidd

Executed at Joplin, Mo this _____ day of _____

By _____
 (VICE PRESIDENT)

The Empire District Electric Company

Work Order # **965352**

Request for Change in Street Lighting Service

Missouri

Pursuant to a Resolution adopted by the governing body of the **City of Neosho** hereinafter called CITY, on the **22nd** day of **June, 2022** **The Empire District Electric Company**, hereinafter called COMPANY, is hereby requested to make the following changes in street lighting service pursuant to the provisions of the Municipal Electric Service Agreement, hereinafter called AGREEMENT, executed by the CITY and the COMPANY.

STREET LIGHT REQUEST	ADDRESS - LOCATION STREET LIGHTS and EXCESS FACILITIES	SIZE and TYPE STREET LIGHTS	Q T Y	ANNUAL ENERGY CHARGE		FACILITY USAGE CHARGE	
				Installed	Removed	Installed	Removed
Install	703 Laurel Cr	7,500L-9,500L 150W eq LED 1 Cobrahead	1	\$74.03		\$ 346.97	
Remove	703 Laurel Cr	16,000L 150W HPS Cobrahead	1		\$107.46		\$ 218.47
Subtotals - Annual Energy Charge and Facility Usage Charge for this Request				\$74.03	\$107.46	\$ 346.97	\$ 218.47
A Annual Energy Charge for this Request (Install minus Remove)				-\$33.43			
B Total Facility Usage Charge for this Street Light Request (Install minus Remove)						\$ 128.50	

The CITY agrees that the AGREEMENT shall be amended as follows:

C	Total Facility Usage Charge for this Request (Total Line B)	\$128.50
D	Annual Facility Usage Charge to City for this Request (Total Line C X 9%)	\$11.57
E	Annual Energy Charge for this Request (Total Line A)	-\$33.43
F	Annual Facility Usage and Energy Charge for this Request (Total Line D plus/minus Line E)	-\$21.87
G	Monthly Increase/Decrease to be Paid by City for this Request (Total Line F divided by 12 months)	-\$1.82

This request for change shall be effective from and after its execution and is supplemental to, forms a part of and is to be construed with and subject to the terms, conditions and provisions of the Agreement herein referred to which, in all other particulars except as hereinafter amended, is ratified and confirmed. This contract and any ancillary agreements may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall be deemed to be one agreement, and signatures by fax or other electronic transmission are acceptable and shall constitute an original signature for all purposes.

Executed at _____ this ____ day of _____
(SEAL)
ATTEST: _____
Clerk of Neosho

By _____
Mayor or Board Chairman

ACCEPTANCE

The COMPANY hereby approves and consents to the aforesaid request for change in street lighting service and all terms and provisions included therein, and agrees that the Municipal Electric Service Agreement shall be amended accordingly. The number of street lights in service in said CITY will, after completion of the above changes and until our approval of further changes, be as follows:

Mercury Vapor Lights		High Pressure Sodium Lights		Metal Halide Lights		Light Emitting Diode Lights	
7,000L - 175W	495	6,000L - 70W	11	12,000L - 175W	11	7,500 - 9,500L - 150W	80
11,000L - 250W	13	16,000L - 150W	223	20,500L - 250W	58	13,000 - 16,000L - 250W	0
20,000L - 400W	9	27,500L - 250W	13	36,000L - 400W	1	19,000 - 22,000L - 250W	0
53,000L - 1,000W	4	50,000L - 400W	1	110,000L - 1,000W	0		
		130,000L - 1,000W	1				

WO# 965352	DATE COMPLETED _____	
CURRENT INVESTMENT CHARGE	ANNUAL FACILITY USAGE CHARGE	ACCUMULATIVE INVESTMENT CHARGE
\$128.50	\$55,223.10	\$613,590.03

The Empire District Electric Company

Company Representative Completing Contract: Roger Kidd

Executed at Joplin, Mo this _____ day of _____

By _____
(VICE PRESIDENT)

REQUESTED COUNCIL MEETING DATE: July 5, 2022

ITEM: Discussion Chapter 125 and 405 of the Neosho City Code

ORIGINATING DEPARTMENT: City Clerk

ATTACHMENT:

1. Chapter 125 and 405 Code

PURPOSE:

To discuss chapter 125 and 405 of the Neosho City Code.

BACKGROUND:

The city council wished to discuss the appeal process as it relates to the Board of Adjustments and other areas that appear to be conflicting with ordinances.

RECOMMENDATION:

Staff is seeking recommendations on a resolution to the current city code.

Chapter 125. Committees and Boards

Article VI. Historic Preservation Commission

Section 125.140. Historic Preservation Commission.

[Ord. No. 156-2003 §1, 10-21-2003]

- A. *Purpose.* The purpose of this Section is to promote the economic, cultural, educational and general welfare of the City by:
1. Conserving and improving the value of property within District HD;
 2. Protecting and enhancing the attractiveness of Neosho to home buyers, home owners, residents, tourists, visitors and shoppers thereby supporting and promoting business, commerce, industry and providing economic benefit to the City;
 3. Providing a mechanism to identify and preserve the distinctive historic and architectural characteristics of downtown Neosho;
 4. Fostering civic pride in the aesthetics and cultural accomplishments of the past as represented in Neosho's landmarks and historic areas;
 5. Fostering and encouraging district, restoration and rehabilitation of structures, areas and adjoining neighborhoods;
 6. Promoting the use of landmarks and historic areas for the education, pleasure and welfare of the people of Neosho and its visitors.
- B. *Historic District Commission.*
1. The Historic District Commission is hereby established. The Historic District Commission shall consist of seven (7) members appointed by the City Council. Members shall serve without compensation. Every attempt should be made to establish a balance of representation among members and all Commissioners should have a demonstrated interest in historic district. Of the seven (7) members, five (5) shall be voting members and two (2) will be non-voting ex officio members. The Commission shall be devised as follows: One (1) voting member shall be a member of the City Council; one (1) voting member shall be a representative of the Newton County Historical Society; three (3) voting members shall be downtown Neosho property owners; one (1) non-voting member shall be nominated by the Chamber of Commerce/ Economic Development Director and the City Planner shall be a non-voting member.
 2. Two (2) of the initial members shall serve terms of one (1) year, two (2) shall serve terms of two (2) years and three (3) shall serve terms of three (3) years. Thereafter, the terms of office for members of the Historic District Commission shall be three (3) years. Vacancies shall be filled for the unexpired terms only.
 3. The Historic District Commission shall elect from its members a Chair, a Vice Chair and a Secretary. Officers shall serve for one (1) year and shall be eligible for re-election. The Chair

shall preside over all meetings. In the absence of the Chair, the Vice Chair shall preside. The Secretary shall prepare minutes and other necessary records of Historic District Commission meetings.

C. **Powers And Duties.** The Historic District Commission shall have the following powers and duties:

1. To adopt its own procedural regulations;
2. To investigate and recommend to the Council the implementation of incentives and benefits to encourage redevelopment of the historic district(s);
3. To review applications for the designation of landmarks in the Historic District, make recommendations to the City Council regarding the designation of landmarks and historic district(s), maintain a register of designated sites and district(s) and confer recognition upon persons associated with designated landmarks and historic district(s);
4. To advise and assist Neosho residents and owners of real property on physical and financial aspects of district, renovation, rehabilitation and reuse of structures within the historic district(s);
5. To encourage nomination of landmarks and historic districts to the National Register of Historic Places;
6. To review applications for construction, alteration, removal or demolition affecting landmarks or properties and structures within the historic district(s);
7. To consider applications for certificates of economic hardship that would allow the performance of work for which a certificate of appropriateness has been denied;
8. To review proposed Zoning District Map amendments, applications for special use permits or applications for zoning variances for property in District HD or within one hundred eighty-five (185) feet of District HD in order to provide comment on such actions to the Planning and Zoning Commission, Board of Adjustment and City Council, as appropriate.
9. To advise the Council on the administration of any historic property which the City owns or controls;
10. To make recommendations to the City Council concerning the application for and utilization of any Federal, State or private grant, gift or bequest furthering the purposes of this Section;
11. To call upon available staff members and other experts for technical advice;
12. To advise and testify before City boards and commissions on any matter affecting historically and architecturally significant property, structures and areas;
13. To periodically review this Chapter and to recommend to the City Council and Planning and Zoning Commission amendments appropriate for the protection and continued use of landmarks or property and structures within historic district(s).

Chapter 405. Zoning Regulations

Article II. District Regulations

Section 405.176. Historic Preservation District.

[Ord. No. 468-2011 §1, 3-15-2011]

A. *Building Design Standards.*

1. *Overview.*

- a. These standards are prepared to provide general assistance to building, property and business owners of the City's downtown business district and the Historic Preservation District(s) ("HPD"). These standards are designed to advise building, property and business owners on the preservation and rehabilitation of properties located within a "HPD". The intent of these standards is to assist the long-term preservation of the area's significance through preservation of historical materials and features. The focus of rehabilitation includes materials, construction types, sizes and encompasses the facade of buildings within any area designated as a "HPD".
- b. "*Rehabilitation*" is defined as the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values. It is recognized that rehabilitation may require repairs or alterations to provide efficient contemporary use; however, these repairs or alterations should not damage or destroy materials or features that are important in defining the building's historical character.

2. *Introduction to the standards.* Primary concerns for building rehabilitation focus on the building's important or "character defining" architectural materials and features yet make possible an efficient, contemporary use of the property. Identified below are key terms related to an approvable restoration/rehabilitation project:

- a. *Identify, retain and preserve.* It is important to identify, retain and preserve the architectural materials and features that are important in defining the historic character of the property. These architectural features should include, but are not limited to, windows, doors, ornamental ironwork, transoms, storefront ornamental brickwork.
- b. *Protect and maintain.* After materials and features are identified, issues to protect and maintain must be addressed. Protection and maintenance generally involves the least degree of intervention and is preparatory to other work.
- c. *Repair and replace.* Repair of character-defining materials and features is recommended whenever possible. Guidance for repair work is available from a variety of resources. Replacement of an entire feature with new material may be required due to a high degree of deterioration or damage. When replacement is appropriate, the entire feature should be replaced "in kind", as near to the original feature as possible, with a solution that is compatible to the property.

B. **Definitions.** The following definitions apply to this Section:

ALLEY

A thoroughfare through a block or buildings giving access to the rear of lots or buildings.

ALTERATION

Any act that changes one (1) or more of the features (including color) of a building's facade located within a "HPD".

BOARD OF ADJUSTMENT

The Board established pursuant to Section **405.270** of this Chapter.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Historic Preservation Commission (HPC) indicating its approval of the architectural appropriateness of plans for construction, alteration, removal or demolition of a building within a "HPD".

CERTIFICATE OF ECONOMIC HARDSHIP

A certificate issued by the HPC authorizing the alteration, construction, removal or demolition of a building in a "HPD", even though a certificate of appropriateness has previously been denied.

CITY

The City of Neosho, Missouri.

CONSTRUCTION

The act of adding an addition to an existing building or the erection of a new principal or accessory building.

DEMOLITION

Any act which destroys in part or in whole a building within a "HPD".

FACADE

The exterior surface of the building that is adjacent to a public thoroughfare or is in direct view of said thoroughfare. Alleys are not considered "public thoroughfare".

GOOD STANDING

A merchant or property owner who is current on all taxes, fees and assessments relating to such building or business within a "HPD".

HISTORIC PRESERVATION COMMISSION (HPC)

Members of the Historic Preservation Commission as outlined in City Ordinance Number 156-2003.

HISTORIC PRESERVATION DISTRICT ("HPD")

A geographic area designated as a historic preservation district by City ordinance.

MAINTENANCE

Preserving from failure or decline the facade of a building, without changing color, material or function.

REMOVAL

Any relocation of a building on its site or to another site.

REPAIR

Any change or emergency remedy that is not construction, removal, alteration or maintenance.

- C. *Historic Preservation District Designation Procedure.* Overall boundaries for a Historic Preservation District(s) should be recommended by the Historic Preservation Commission to the City Council for passage.
- D. *Certificate Of Appropriateness — When Required.* A certificate of appropriateness shall not be required for interior construction or interior alteration of any building within a "HPD". A certificate of appropriateness shall be required before the following actions affecting the facade of any building within a "HPD" may be undertaken:
1. Any construction, alteration, removal or any demolition in whole or in part regardless of whether a permit from the City is required.
 2. Any construction, alteration, removal or demolition, in whole or in part, proposed by the City, for a City-owned landmark or building within a "HPD".
- E. *Certificate Of Appropriateness — Procedure.*
1. An application for a certificate of appropriateness shall be made on forms provided by the City Clerk and approved by the HPC. The application shall identify the facts which support a determination that the proposed actions meet the standards for review and design guidelines set forth in this Section.
 2. After determining that the application for certificate of appropriateness is complete, the City Clerk shall schedule the application for consideration by the HPC within thirty (30) days. If a fully completed application for a certificate of appropriateness has not been acted upon within thirty (30) days after the date the application was filed with the City Clerk, it shall be deemed approved unless tabled or continued with the consent of the applicant. No motion to table or continue shall be made without the consent of the applicant.
 3. A denial of a certificate of appropriateness shall be accompanied by a statement of the reasons for the denial. The HPC shall make recommendations to the applicant concerning the changes, if any, in the proposed action that would cause the HPC to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner and the HPC. The applicant may resubmit an amended application that takes into consideration the recommendations of the HPC.
 4. Any person aggrieved by the decision of the HPC may appeal to the Board of Adjustment by filing a notice of appeal with the City Clerk within thirty (30) days of the decision of the HPC. Notice of the HPC's decision shall be mailed to the applicant unless the applicant or the applicant's agent was present at the meeting at which the decision was made. The Board of Adjustment shall provide a hearing and render a decision.
- F. *Certificate Of Appropriateness — Standards For Review And Design Guidelines.* In considering an application for a certificate of appropriateness, the HPC shall be guided by the following standards and design guidelines.
1. The distinguishing original qualities or character of a facade or site and its facade should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
 2. Changes which may have taken place in the course of time are evidence of the history and development of a building or site. Changes made prior to 1950 that have acquired significance in their own right should be treated the same as if they were part of the original facade.
 3. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building or site should be preserved when possible.
 4. Deteriorated architectural features should be repaired, rather than replaced, whenever practicable. If replacement is necessary, the new material should match the material being replaced in design, color, texture and other visual qualities. Repair or replacement of missing

architectural features should be based upon accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings.

5. The surface cleaning of buildings should be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials should be avoided when possible.
6. Every reasonable effort should be made to protect and preserve archaeological resources affected by or adjacent to any project.
7. Contemporary design for alterations and additions to existing properties and for new construction may be permitted when such alterations, additions or new construction do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, material, colors and character of the property, neighborhood.
8. Although alleys shall not be held to the standard of the building's facade, attention shall be given so as to not allow alleys to distract from the general qualities or character of the building's facade or the "HPD" in general. Alleys which are in direct view of a public thoroughfare shall be treated so as to aesthetically blend with the building. Any murals, paintings, images or advertisement shall be so designed as to identify, retain and preserve the features defining the historic character of the building.
9. Whenever possible, new construction, additions or alterations to buildings should be done in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the facade would be unimpaired.
10. The height of any proposed alteration should be compatible with the style and character of that building. The height of any proposed construction should be compatible with the style and character of the buildings within a "HPD".
11. The proportions and relationships between doors and windows should be compatible with the architectural style and character of the buildings within a "HPD".
12. The scale of the building after alteration, construction or partial demolition should be compatible with its architectural style and character and with buildings within a "HPD".
13. Facades should blend with other buildings with regard to directional expression. Buildings should be compatible with the dominant horizontal or vertical expression of buildings within the district. The directional expression of a building after alteration, construction or partial demolition should be compatible with its original architectural style and character.
14. Architectural details including materials and textures should be treated so as to make a building compatible with its original character or significant architectural style and to preserve and enhance the building or "HPD".

G. Certificate Of Economic Hardship.

1. A person whose application for a certificate of appropriateness has been denied or granted conditionally may apply for a certificate of economic hardship. Alternatively, an application for a certificate of economic hardship may be filed with the application for certificate of appropriateness. Applications shall be made on forms provided by the City Clerk and approved by the HPC. If a fully completed application for a certificate of economic hardship has not been acted upon within thirty (30) days after the date the application was filed with the City Clerk, it shall be deemed approved, unless tabled or continued with the consent of the applicant. No motion to table or continue shall be made without the consent of the applicant. The application shall identify facts which support a determination that denial of the application will deprive the owner of the property of reasonable use of or a reasonable economic return on the property.
2. An application for certificate of economic hardship may include the following information:

- a. Estimate of the cost of the proposed construction, alteration, repair, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the HPC for changes necessary for the issuance of a certificate of appropriateness.
 - b. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any buildings on the property and their suitability for rehabilitation.
 - c. Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, repair, demolition or removal; after any changes recommended by the HPC; and, in the case of a proposed demolition, after renovation of the existing property for continued use.
 - d. In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing building on the property.
 - e. Applicant may demonstrate with factual data evidence that the hardship is not self-created. If the property is income producing, the applicant may provide detailed annual income and expense reports for the property for the last two (2) years, rent rates and capitalization rates for the property and comparable properties and any other pertinent information that would substantiate the applicant's claim concerning economic hardship.
 - f. Appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property.
 - g. Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years.
 - h. Assessed value of the property.
 - i. Real estate taxes.
 - j. Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture or other.
3. An application for a certificate of economic hardship, if not filed with the application for certificate of appropriateness, must be made within sixty (60) days of a decision on the application for certificate of appropriateness. The City Clerk shall schedule the application for consideration by the HPC within thirty (30) days.
 4. Notice of the HPC's decision shall be mailed to the applicant unless the applicant or the applicant's agent was present at the meeting at which the decision was made.
 5. Any person aggrieved by the decision of the HPC may appeal to the Board of Adjustment by filing a notice of appeal with the City Clerk within thirty (30) days of the decision of the HPC. The Board of Adjustment shall provide a hearing and render a decision.
- H. *Continuing Validity Of Certificates.* Certificates of appropriateness and certificates of economic hardship shall be issued for a period of eighteen (18) months and are renewable. Certificates of appropriateness and certificates of economic hardship shall become void if the work authorized by the certificate is not commenced within six (6) months of the date of issuance.
 - I. *Stop Work Orders.* The Building Inspector is authorized to issue a stop work order under the procedures set forth in the City's building code when any work on any building requiring a certificate of appropriateness is being performed without a certificate of appropriateness or a certificate of economic hardship or in violation of the terms of a certificate of appropriateness or a certificate of economic hardship.

- J. *Signs.* All signs for buildings in a "HPD" not specified in the application for "HPD" designation must receive a certificate of appropriateness from the HPC, which shall review the proposed sign in accordance with the following general guidelines:
1. Signs should be designed and placed so as to appear an integral part of the building design and to respect the neighboring properties and the "HPD" in general.
 2. Signs should be designed with appropriateness relative to the services of the establishment served.
 3. Temporary signs for new businesses will be allowed while the certificate of appropriateness is being reviewed. These signs should follow the same guidelines as permanent signs.
 4. Nothing contained in this Section should prevent the use of normal "for rent" and "for sale" signs, nor the use of normal advertising, promotional, seasonal or political signage.
- K. Any owner offering property for sale which is located within a "HPD" is required to advise any potential purchasers or realtors listing property for sale that the property is located within a "HPD".
- L. *City Property.* Proposed improvements, alterations, repairs, demolition or clearance to a building, site or object owned by the City within a "HPD" shall be approved according to the procedures and regulations of this Section.
- M. *Property Owned By Public Agencies.* To accomplish the purposes of this Section, the City may enter into agreements with other units of government. The HPC may recommend and the City Council may authorize such agreements. Such agreements may address:
1. Designation of "HPD"s;
 2. Improvements to properties within "HPD"s and properties adjacent to "HPD"s; and
 3. Other mutually acceptable provisions.
- N. *Churches.* Churches, mosques and synagogues in current use as houses of worship are exempt from the provisions of this Section; such houses of worship may voluntarily submit to the provisions of this Section. Any churches, mosques and synagogues created within a "HPD", subsequent to the execution of this Section, shall not be exempt.
- O. *Violations.* In addition to the penalties provided for in this Chapter, any person who undertakes or causes an alteration, construction, repair, demolition or removal of any property within a "HPD" in violation of this Chapter shall be required to return the property to its appearance and setting prior to the violation. Any action to enforce this provision shall be brought by the City.
- P. *Review.* District boundaries and designation status may be reviewed at the request of either the HPC or the petition of the owners of at least sixty percent (60%) of the Newton County tax parcels in the "HPD".
- Q. Nothing contained in this Section shall affect any building permit, demolition permit or land disturbance permit issued for property which becomes part of a "HPD" if the permit was issued prior to such designation.

Chapter 405. Zoning Regulations

Article II. District Regulations

Section 405.178. Downtown Historic Preservation District.

[Ord. No. 468-2011 §1, 3-15-2011]

A. Establishment — Purpose — Permitted Uses.

1. There is hereby established the Neosho Downtown Historic Preservation District.
2. The purpose of the Neosho Downtown Historic Preservation District "NDHPD" is to promote the educational, cultural, economic and general welfare of the community by:
 - a. Preserving the distinctive historic, archaeological and architectural characteristics of Neosho which represent elements of the City's cultural, social, economic, political and architectural history;
 - b. Fostering civic pride in the beauty and accomplishments of the past as represented in Neosho landmarks;
 - c. Conserving and improving the value of property designated as landmarks; and
 - d. Protecting and enhancing the attractiveness of the City to home buyers, tourists, visitors and shoppers and thereby supporting and promoting business and providing economic benefit to the City.
3. *Permitted uses.* Any use, accessory use or conditional use permitted in the zoning district in which the premises are situated and upon which the Neosho Downtown Historic Preservation District is superimposed.

B. Boundaries. Area boundaries within said area: The Neosho Downtown Historic Preservation District "NDHPD" encompasses the area bounded by:

Starting at the corner of Hickory and Jefferson, go east on Hickory to Lafayette turn north on Lafayette to McCord. Turn west on McCord until you come to the property line for Haas building. Turn north on the east side property line until you get to the north property line and turn west. The idea is to include the Haas building property. Continue west in a straight line across Washington (this will be down the north property lines of the properties that are on the north side of McCord) until you come to Wood. Turn north on Wood to Brook. Turn west on Brook to Jefferson. Turn south on Jefferson to McCord. Turn west on McCord to College. Go west across College along property lines until you reconnect with McCord at the top of Big Spring Hill. Turn south on Big Spring Hill until you come to Big Spring Park. Continue south following the west boundary of Big Spring Park until you come to Hickory. Turn east on Hickory until you come to the east boundary of Big Spring Park and turn north. Continue north along the east boundary of Big Spring Park until you come to the property lines of the properties that sit on the south side of Spring. Turn east along the south side of those property lines until you come to Jefferson. Turn south on Jefferson until you come to Hickory, the point of beginning.

The boundaries of the "NDHPD" are hereby established as indicated on the map which is on file in the City offices and hereby made a part hereof.

- C. *Definition.* As used in this Section, the following term shall have this prescribed meaning:

HISTORIC DISTRICT

An area designated as a historic district overlay by an ordinance of the City Council and which may contain within definable geographic boundaries one (1) or more landmarks and which may have within its boundaries other properties or structures which, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.

- D. *Superimposed Districts — Application.* To enable the superimposed district to operate in harmony with the plan for land use and population density embodied in the zoning regulations, the Neosho Downtown Historic Preservation District is created as a special district to be superimposed on the zoning districts contained in the zoning regulations or amendments hereto and are to be so designated by the City Council and depicted by a special symbol for their boundaries on the Zoning District Map. If there is a conflict between regulations of an underlying district and a superimposed district, the regulations of the superimposed district shall prevail.

Chapter 405. Zoning Regulations

Article IV. Administration

Section 405.260. Completion of Buildings.

[Ord. No. 468-2011 §1, 3-15-2011]

- A. The Board of Adjustment may, during a period of one (1) year from the date of the adoption of this Chapter, and after public hearing, order the Building Inspector to issue a building permit for the erection, construction, reconstruction or alteration of a building or structure, which building or structure cannot reasonably comply with one (1) or more of the provisions of this Chapter, provided:
1. A vested right in such building or structure has been acquired by the applicant and that the existence of such vested right be proven beyond reasonable doubt.
 2. A substantial amount of said vested right would be lost if all regulations of this Chapter were complied with.
 3. Said erection, construction, reconstruction, or alteration be carried out diligently and be completed within one (1) year of the date of the building permit issued therefor.

Section 405.270. Board of Adjustment — Powers and Duties.

[Ord. No. 468-2011 §1, 3-15-2011]

- A. A Board of Adjustment is hereby established in accordance with the provisions of Chapter 89, RSMo., regarding the zoning of Cities. The word "Board", when used in this Chapter, shall be construed to mean Board of Adjustment.
- B. The Board shall consist of five (5) residents appointed by the Mayor and approved by the City Council. The term of the office of the members of the Board shall be for five (5) years, excepting that five (5) members first (1st) appointed shall serve respectively for terms of one (1) year; two (2) years; three (3) years; four (4) years; and five (5) years; thereafter members shall be appointed for terms of five (5) years each. The members shall elect their own Chairman and Secretary, who shall serve for one (1) year. Vacancies shall be filled for the unexpired term only. Members may be removed for cause by the Mayor and the City Council upon written charges and after public hearing. The Board shall adopt rules of procedure in accordance with the provisions of this Chapter. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his/her absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. All testimony, objections thereto, and rulings thereon shall be taken down by a reporter employed by the Board for that purpose. The presence of three (3) members of the Board shall constitute a quorum for the transaction of business, provided

however, that the concurring vote of four (4) members of the Board shall be necessary to effect a ruling in favor of an appellant.

- C. *Appeals.* Appeals to the Board of Adjustment may be taken by any person aggrieved or by any office, department, or board of the City of Neosho affected by any decision of the Building Inspector. Such appeal shall be taken within thirty (30) days by filing with the officer from whom the appeal is taken, and with the Board of Adjustment, a notice of appeal in writing specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.
- D. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would in his/her opinion cause imminent peril to life or property. In such cases proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by the Circuit Court, on application or notice to said officer and on due cause shown.
- E. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal and give public notice thereof by publication one (1) time in a local newspaper of general circulation not less than five (5) nor more than fifteen (15) days prior to said hearing, as well as due notice to the parties in interest. Upon the hearing, any party may appear in person or by agent or by attorney.
- F. The Board shall render its decision within thirty (30) days of such hearing. The appellant and the officer appealed from shall be notified in writing of the decision of the Board.
- G. The Board of Adjustment shall render decisions only on appeals from an action of the Building Inspector. The Board shall render a decision only when it has determined that a permit has been incorrectly issued or denied, or when it has determined that the ordinance has been incorrectly interpreted, or when the appellant proves undue and unnecessary hardship due to a provision or provisions herein contained as applied to a specific lot or tract. In case an unnecessary or undue hardship, due to peculiar characteristics of a specific lot or tract, is proven, the Board may issue a variance, signed by the Chairman, and setting out any conditions to be met. A copy of the variance shall be sent to the Building Inspector who shall issue a building permit setting out the terms of the variance. In no case shall the Board of Adjustment issue a variance or an order permitting a use to be placed in a district in which it is not permitted in this Chapter, except as provided in Section **405.260**. In no case shall the Board decide an appeal from an action of the City Council. The concurring vote of four (4) members of the Board shall be necessary to effect a decision. In all cases the spirit and intent of this Chapter shall be observed, public safety and welfare secured, and substantial justice done.
- H. In exercising the above-mentioned powers, the Board may, in conformity with the provisions of this Chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.
- I. Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, or any officer, department, board, or bureau of the City of Neosho may present to the Circuit Court a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented to the court within thirty (30) days after the filing of the decision in the office of the Board and thereafter proceedings shall be had thereon as provided by Section 89.110, RSMo., and amendments thereto.

REQUESTED COUNCIL MEETING DATE: July 5, 2022

ITEM: Appeal from Denial of Certificate of Appropriateness by the Historic District Board-Fidelity Abstract

ORIGINATING DEPARTMENT: City Clerk

ATTACHMENT:

1. Fidelity Abstract.HPB Meeting Minutes and Documents

PURPOSE:

To discuss the appeal of the denial of a certificate of appropriateness by the Historic District Board for the Fidelity Abstract.

BACKGROUND:

Fidelity Abstract & Title Company located at 229 S. Wood St., Neosho, MO 64850. The HPC denied Fidelity's application on June 1, 2022. I believe that the HPC's basis for denial was that Fidelity proposed a Dryvit façade, while the HPC recommended a historically accurate brick façade. Fidelity has appealed the HPC's decision. In considering any appeal from the HPC, you should be guided by the fourteen criteria enumerated in Section 405.176, Subsection F. A copy of the application and HPC minutes are also attached for your reference.

RECOMMENDATION:

Staff seeks Council's guidance on how to proceed.

NOTICE OF OPEN MEETING

Notice is hereby given that the **Neosho Historic Preservation Commission** will meet in regular session on **Tuesday, May 16, 2022 @ 12:00 p.m.** via Zoom

The Historic Preservation Commission meeting is available to watch via ZOOM by using the Webinar

Join Zoom Meeting

<https://us02web.zoom.us/j/84978402419?pwd=QnpwT1JRQTdhWTFCSlJaSXJlTlZpdz09>

Meeting ID: 849 7840 2419

Passcode: 998738

AGENDA HISTORIC PRESERVATION COMMISSION **May 16, 2022 @ 12:00 p.m.** Zoom

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES:

Regular Session of March 22, 2022.

NEW BUSINESS

1. Public Hearing to consider the Certificate of Appropriateness for Blackarce Properties, LLC 202 E Spring St. for window replacement and reconfiguration/remodel/renewal of the store front.
2. Consider approval of Certificate of Appropriateness for Blackarce Properties, LLC 202 E Spring St. for window replacement and reconfiguration/remodel/renewal of the store front.
3. Public Hearing to consider the Certificate of Appropriateness for the City of Neosho to reattach four original plaques to the front of the Municipal Auditorium.
4. Consider approval of Certificate of Appropriateness for the City of Neosho to reattach four original plaques to the front of the Municipal Auditorium.
5. Public Hearing to consider the Certificate of Appropriateness for Sweet Remedy 105 S Washington for a new outdoor sign.
6. Consider approval of Certificate of Appropriateness for Sweet Remedy 105 S Washington for a new outdoor sign.

May 16, 2022 Historical District Committee Meeting

7. Public Hearing to consider the Certificate of Appropriateness for Fidelity Abstract 229 S Wood St for a façade remodel/renewal including removal of one west side window and preplacement of all the others with new plate glass, new business sign consisting of 10” dark bronze colored, aluminum letters.
8. Consider approval of Certificate of Appropriateness for Fidelity Abstract 229 S Wood St for a façade remodel/renewal including removal of one west side window and preplacement of all the others with new plate glass, new business sign consisting of 10” dark bronze colored, aluminum letters.

ADJOURN

Representatives of the news media may obtain copies of this notice by contacting:
Cheyenne Wright, City Clerk, 203 E. Main, Neosho, Missouri.

MINUTES
Historic Preservation Commission
May 16, 2022 – 12:00 p.m.
ZOOM
203 E Main – Neosho, Missouri

Having determined that a quorum was present Commissioner Sims called the meeting to order at 12:10 p.m.

ROLL CALL

Present: Commissioners Sims, Neff, Crossno, Jones

Absent: Collinsworth and Siler

APPROVAL OF MINUTES

Regular session March 22, 2022

A motion to approve the minutes was made by Commissioner Sims and seconded by commissioner Crossno. There was a unanimous vote to approve the minutes.

NEW BUSINESS

1. Consider the Certificate of Appropriateness for Blackarce Properties, LLC 202 E Spring St. for window replacement and reconfiguration/remodel/renewal of the store front.

Discussion held.

Motion made to approve the Certificate of Appropriateness for 202 E. Spring St. by Commissioner Neff; seconded by Commissioner Jones.

Roll call vote:

Commissioner Sims-abstain, Commissioner Neff-Yes, Commissioner Jones-Yes, Commissioner Crossno-Yes,

2. Consider the Certificate of Appropriateness for the City of Neosho to reattach four original plaques to the front of the Municipal Auditorium.

Discussion held.

Motion made to approve the Certificate of Appropriateness for 109 W. Main St. by Commissioner Crossno; seconded by Commissioner Sims.

Roll call vote:

Commissioner Neff-Yes, Commissioner Jones-Yes, Commissioner Crossno-Yes,
Commissioner Sims-Yes

3. Consider the Certificate of Appropriateness for Sweet Remedy 105 S Washington for a new outdoor sign.

Discussion held.

Motion made to approve the Certificate of Appropriateness for 109 W. Main St. by Commissioner Sims; seconded by Commissioner Crossno.

Roll call vote:

Commissioner Neff-Yes, Commissioner Jones-Yes, Commissioner Crossno-Yes,
Commissioner Sims-Yes

4. Consider the Certificate of Appropriateness for Fidelity Abstract 229 S Wood St for a façade remodel/renewal including removal of one west side window and preplacement of all the others with new plate glass, new business sign consisting of 10” dark bronze colored, aluminum letters.

Discussion held. Tyler Marion from Construction Services Group was present and advised the committee of the proposed changes to the property. The committee member were concerned with preserving the historic features of the building and made recommendations.

Motion made to table the Certificate of Appropriateness for 229 S. Wood St. and request further information by Commissioner Sims; seconded by Commissioner Crossno.

Roll call vote:

Commissioner Crossno-Yes, Commissioner Sims-Yes, Commissioner Neff-Yes,
Commissioner Jones-Yes

A meeting was scheduled for May 23, 2022 at 4:30 pm to reconsider the Certificate of Appropriateness for 229 S. Wood St.

ADJOURN

Chairman Sims adjourned the meeting at 12:35 p.m.

NOTICE OF OPEN MEETING

Notice is hereby given that the **Neosho Historic Preservation Commission** will meet in regular session on **Wednesday, June 1, 2022 at 12 noon** via Zoom.

Topic: Historic District Meeting

Time: Jun 1, 2022 12:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85847421849?pwd=VTV3bVlnYkhBVEJaaEtlc0FIYU4zZz09>

Meeting ID: 858 4742 1849

Passcode: 790757

AGENDA HISTORIC PRESERVATION COMMISSION June 1, 2022 @ 4:30 p.m. Zoom

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES:

Regular Session of May 16, 2022.

NEW BUSINESS

1. Public Hearing to consider the Certificate of Appropriateness for Fidelity Abstract 229 S Wood St for a façade remodel/renewal including removal of one west side window and preplacement of all the others with new plate glass, new business sign consisting of 10” dark bronze colored, aluminum letters.
2. Consider approval of Certificate of Appropriateness for Fidelity Abstract 229 S Wood St for a façade remodel/renewal including removal of one west side window and preplacement of all the others with new plate glass, new business sign consisting of 10” dark bronze colored, aluminum letters.

ADJOURN

Representatives of the news media may obtain copies of this notice by contacting:
Cheyenne Wright, City Clerk, 203 E. Main, Neosho, Missouri.

MINUTES
Historic Preservation Commission
June 1, 2022 – 12:00 p.m.
ZOOM
203 E Main – Neosho, Missouri

Having determined that a quorum was present Commissioner Sims called the meeting to order at 12:01 p.m.

ROLL CALL

Present: Commissioners Sims, Neff, Crossno, Jones

Absent: Collinsworth and Siler

Visitor(s): Tyler Marion

APPROVAL OF MINUTES

Regular session May 16, 2022

A motion to approve the minutes was made by Commissioner Sims and seconded by Commissioner Neff. There was a unanimous vote to approve the minutes.

NEW BUSINESS

None

OLD BUSINESS

Consider the Certificate of Appropriateness for Fidelity Abstract 229 S Wood St for a façade remodel/renewal. This item had been tabled from the May 16th meeting.

There was discussion over the proposed refinishing of the façade of the building with a Dryvit finish and that type of finish not being historically accurate. Similar brick materials do not appear to be available and the feasibility of removing bricks from the north alley side and using them in the west and south façade was requested to be examined.

The committee requested documentation from an engineer or architect that the current brick was not reusable/repairable or that the reuse of bricks from the north alley side was cost prohibited. They informed the applicant of the financial hardship exemptions and requested that information and forms be forwarded to applicant.

Ordinance limits the amount of time this committee has to act on the items before it. To comply with this requirement a motion made to not accept the Certificate of

Appropriateness for 229 S. Wood St. and request Construction Services Group. The motion was made by Commissioner Sims; seconded by Commissioner Jones.

Roll call vote:

Commissioner Neff-Yes, Commissioner Crossno-Yes, Commissioner Jones-Yes,
Commissioner Sims-Yes

ADJOURN

Chairman Sims adjourned the meeting at 12:43 p.m.

NOTICE OF OPEN MEETING

Notice is hereby given that the **Neosho Historic Preservation Commission** will meet in regular session on **Thursday, June 23, 2022 at 12:00 noon** via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/85848821078?pwd=G5T2cUAWBIEg0ImExpXTc7-JmOjVJ5.1>

Meeting ID: 858 4882 1078

Passcode: 400483

AGENDA HISTORIC PRESERVATION COMMISSION June 23, 2022 @ 12:00 noon. Zoom

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES:

Regular Session of June 15, 2022.

NEW BUSINESS

1. Public Hearing to consider the Certificate of Appropriateness for Sweet Remedy 105 S. Washington St. for the installation of an awning on the front façade of the business.
2. Consider approval of Certificate of Appropriateness for Sweet Remedy 105 S. Washington St. for the installation of an awning on the front façade of the business.

OLD BUSINESS

1. Consider the request for 229 S Wood St for Construction Services Group (Fidelity Abstract) windows portion of request of the previous Application of Certificate of Appropriateness reviewed by the committee.

ADJOURN

Representatives of the news media may obtain copies of this notice by contacting:
Cheyenne Wright, City Clerk, 203 E. Main, Neosho, Missouri.

MINUTES
Historic Preservation Commission
June 23, 2022 – 12:00 p.m.
ZOOM
203 E Main – Neosho, Missouri

Having determined that a quorum was present Commissioner Sims called the meeting to order at 12:01 p.m.

ROLL CALL

Present: Commissioners Sims, Neff, Crossno, Jones, Siler

Absent: Collinsworth

Visitor(s): Ben Davies

APPROVAL OF MINUTES

Regular session June 15, 2022

A motion to approve the minutes was made by Commissioner Crossno and seconded by Commissioner Neff. There was a unanimous vote to approve the minutes.

NEW BUSINESS

1. Consider approval of Certificate of Appropriateness for 105 S. Washington St., Sweet Remedy for the installation of an awning on the front façade of the business.

Mr. Davies was present via Zoom to describe his awning project to the committee. He advised that the awning would consist of a wooden frame with a canvas cover. There will be braces on either side down to the wall and chains on either side going up to wall to add extra support.

Discussion was held about the historical appropriateness of the awning style and type in the downtown area.

Motion was made to accept the Certificate of Appropriateness for 105 S. Washington by Commissioner Neff; seconded by Commissioner Sims.

Roll call vote:

Commissioner Sims-Yes, Commissioner Neff-Yes, Commissioner Crossno-Yes, Commissioner Jones-Yes

OLD BUSINESS

1. Clarification was requested for 229 S Wood St for Construction Services Group (Fidelity Abstract) windows portion of request of the previous Application of Certificate of Appropriateness reviewed by the committee.

The committee clarification is attached.

ADJOURN

Chairman Sims adjourned the meeting at 12:18 p.m.



Case #

City Hall 203 E. Main Neosho, MO 64850 Phone 451-8060 Fax 451-8065

APPLICATION for CERTIFICATE OF APPROPRIATENESS HISTORIC DISTRICT

BUSINESS / PROJECT

Name: FIDELITY ABSTRACTAddress: 229 S. Wood St.Telephone: 417-451-3387

OWNER / APPLICANT

Name: CSGAddress: 12451 HWY 59Telephone: 417-451-5743

Project Description: EXTERIOR FACADE IMPROVEMENTS AND
STOREFRONT REPLACEMENT.

Awning: N/AWindow Repair: REPLACEMENTPaint: N/ADemolition: STOREFRONTSign: CAST ALUMINUM
LETTERS (10")Restoration: EIFSBrick Repair: N/A

Other: _____

Applicant Signature

5.10.22
Date
For Office Use Only:

This is to certify that plans for the above project were reviewed by the Historic Preservation Commission and the project conforms to the Building Design Standards for the Historic District.

APPROVED ☐ DENIED ☐ Comments: _____

Historic Preservation Commission

Date

CONSTRUCTION
SERVICES GROUP

MARION COMPANY, LLC



WWW.CONSTRUCTIONSERVICESGROUP.NET

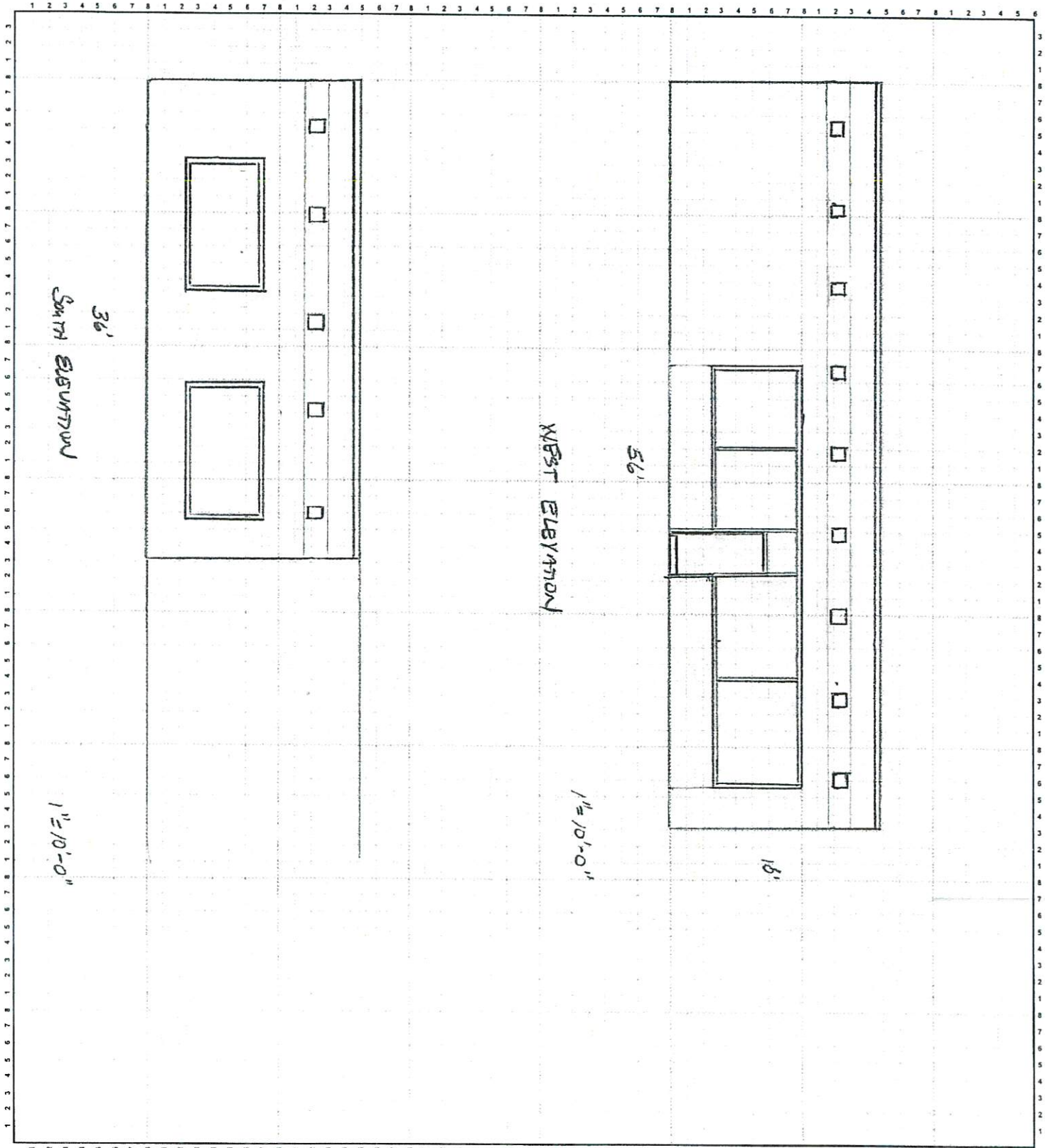
PROJECT FIDELITY ABSTRACT

CONTACT _____

PHONE _____ FAX _____

MOBILE _____ EMAIL _____

SHEET NO. _____ OF _____ DATE 6/3/20



ORDER# 6061306	P0/REF#: 155885 TMARION	PATTERN TYPE: Perfect Pattern	VERSION 1	4/8/22	1910665
10 in FIDELITY ABSTRACT & TITLE COMPANY 10.4 in 300.6 in			FLAT CUT METAL		
			3/8" Aluminum 10" H Gemini Times Bold 1230-Vert.Dark Bronze Anodize Stud w/Spacers: 1/2"StandOff		

Neosho, MO



Legend

Neosho Streets

- <all other values>
- INTERSTATE
- U.S. HIGHWAY
- STATE HIGHWAY
- ALLEY
- CITY STREET
- NAMED COUNTY ROAD
- PLATTED/UNDEVELOPED
- UNNAMED
- VACATED STREET

Parcel

1: 545



90.8 0 45.42 90.8 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

229 S Wood St. Fidelity Abstract



City of Neosho

203 E. Main Street
Neosho, MO, 64850
417 / 451-8050 phone
417 / 451-8065 facsimile

June 23, 2023

Historic District Committee

Supplemental comments on Application for Certificate of Appropriateness
229 S. Wood St., Construction Services Group, applicant

The committee was asked to clarify the part of this request regarding window replacement.

The committee approved replacement windows of the same size as the existing windows including reconfiguring of the octagon window on the southside of the building to a rectangular window the same size as the existing window on the southside. The windows need to be non-reflective and 95% clear.

The committee does not approve removing the door on the southside or refinishing of the façade without further discussion between the committee and the applicant.

Historic District Committee

REQUESTED COUNCIL MEETING DATE: July 5, 2022**ITEM:** Permanent Event Electricity on the Square**ORIGINATING DEPARTMENT:** Development Services Department**ATTACHMENT:** None

PURPOSE:

Over the past several years, the inside of the square has been permanently wired to provide electrical access for vendors at local events. As events have grown and the technology changed, the number of vendors requiring power has increased along with the type of power that they need to operate.

In order to supply power for this year's Celebrate Neosho Event, the city added five additional 50amp outlets to the existing boxes, coming close to maxing out their capacity. We did not use power on the outside of the square.

During the larger Fall Festival, power is supplied to the outside of the square by renting three large generators. Generators have their own set of problems including noise, complexity of operation, exhaust, and reliability. In addition, there are numerous extension cords running along sidewalks and gutters, creating trip hazards.

BACKGROUND:

The proposal to the council is to permanently wire the outside of the square and provide portable distribution centers that vendors could connect to. The current plan is to place meter loops in the alleys at the back of the buildings on all four sides of the square. Then install underground conduits and wiring in the alley and place a power base in the alleys at the front of buildings to provide a connection for "Spider" boxes.

The "spider" boxes are units that provide multiple outlets at a central location with only one main power cable going back to the power base in the alleys. These cables can be protected by rubber/plastic sidewalk curbs over the cable to reduce the trip hazard and allow wheelchairs and people with mobility problems to more easily pass. These boxes also offer versatility of usage and placement.

Each side of the Square will need a meter loop, underground conduit and wiring, a power base box, protective bolsters and two "spider" boxes.

The proposal is to complete the project in two main phases.

PHASE 1

The first phase would complete the eastside of the square and provide all the "spider" boxes needed

for all four sides of the square before the Fall Festival. Generators would still have to be rented for the Fall Festival, but the use of the “Spider” boxes would reduce the cords and provide closer connections for the vendors.

The Ward’s generously dug a trench during construction of Eastside Social to allow us to place an underground conduit in the alley along the southside of their new business and have offered to allow the city to place a permanent connection point on a brick pillar at the front of their business.

This will reduce the cost to complete the permanent east side portion to \$6,300.00

There are three options for the “spider” boxes (a total of eight boxes are needed):

- a commercially produced 50amp box with 12 110v outlets at \$2150.00 each.
- a commercially produced vertical box with two 50amp outlets and four 110 v outlets at \$10,000.00 each.
- a city constructed vertical box with two 50amp RV outlets, one 30amp RV outlet and 12 110v outlets at \$4500.00 to \$5000.00 each.

The preferred “spider” box would be the city-constructed vertical box as it would be outfitted to suit our needs.

The estimated cost of phase one would be \$46,300.00

PHASE 2

Phase 2 would be the installation of permanent electricity on the other three sides of the square. This project would be done in the 2022-2023 budget year and would consist of installing a meter loop, underground conduit and wiring, a power base box, and protective bolsters on the other three sides of the square.

The estimated cost of phase 2 is \$48,900.00.

The “spider” boxes will have other uses also, such as power points for Big Spring Park lighting during the holidays, special events and public emergencies.

RECOMMENDATION:

The city manager has spoken to the city attorney and this is an appropriate use of these funds. It is the staff’s recommendation to approve phase 1 of this project. Phase 2 will be budgeted for in the next fiscal year.